

SECTION: PIL

IN THE SUPREME COURT OF INDIA

(CIVIL ORIGINAL JURISDICTION)

I.A.NO. _____ OF 2025

IN

WRIT PETITION (CIVIL) NO. 677 OF 2024

IN THE MATTER OF:

THE VIDHI CENTRE FOR LEGAL POLICY

.....PETITIONER

VERSUS

UNION OF INDIA & ORS.

.....RESPONDENT

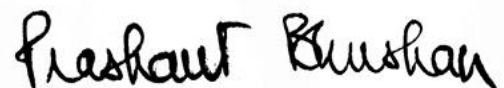
AND IN THE MATTER OF:

ASSOCIATION FOR DEMOCRATIC REFORMS

..... APPLICANT

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301, NEW LAWYERS CHAMBER

SUPREME COURT OF INDIA

NEW DELHI-110 001

CODE NO. 515

NEW DELHI

DATED: 18 .07.2025

DOL RAJ BHANDARI, REGD CLERK, MOBILE NO. 9868255076

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APPLICANT}**

COUNSEL FOR THE APPLICANT: **PRASHANT BHUSHAN**

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.....RESPONDENT

AND IN THE MATTER OF:

ASSOCIATION FOR DEMOCRATIC REFORMS

THROUGH ITS FOUNDER-TRUSTEE

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...APPLICANT/INTERVENOR

**APPLICATION ON BEHALF OF THE APPLICANT FOR
INTERVENTION IN WRIT PETITION (CIVIL) NO. 677 OF 2024
TITLED THE VIDHI CENTRE FOR LEGAL POLICY V UNION OF
INDIA & ORS.**

To,

The Hon'ble Chief Justice of India

and the companion judges of

The Hon'ble Supreme Court of India

The Humble Petition of
the Applicant/Intervenor Above-Named

MOST RESPECTFULLY SHOWETH

1. That the aforementioned Writ Petition has been filed by the Petitioner under Article 32 of the Constitution seeking for issuance

of an appropriate Writ, order, or direction in the nature of certiorari for quashing Section 53(2) of the Representation of the People Act, 1951, to the extent that it deprives voters of their fundamental right to freedom of speech and expression under Article 19(1)(a) and violates Article 14 of the Constitution of India.

2. The present application for intervention is filed by the Applicant organisation herein is Association for Democratic Reforms (ADR), a trust registered with Registration No. F/9/9339/AHMEDABAD. ADR has been at the forefront of electoral reforms in the country for the last 20 years from wide-ranging activities including advocacy for transparent functioning of political parties, conducting a detailed analysis of candidates in every election, and researching the financial records of political parties including their income-tax returns. It was on ADR's petition that this Hon'ble Court ordered all election candidates to declare their criminal records and financial assets. The Applicant herein also challenged the electoral bond scheme (W.P. (C) No. 880 of 2017). The Organization is registered as Public Trust under Mumbai Public Trust Act, 1950. Under the practice followed by ADR, the Founder-Trustee Prof. Jagdeep S Chhokar is authorized to institute proceedings on behalf of Petitioner trust.
3. That the instant application has been filed by the Applicant organization challenging the vires of Section 53(2) of the Representation of the People Act, 1951, to the extent that it deprives voters of their fundamental Right to freedom of speech and expression under Article 19(1)(a) and violates basic principles of equality and reasonable classification under Article 14 of the

Constitution of India. That it is also submitted that the Applicant through this application seeks to espouse the fundamental right of millions of voters across India by safeguarding freedom of speech and expression, free and fair elections, rule of law and equality guaranteed under the Constitution of India.

4. That Section 53(2) of the Representation of the People Act, 1951 read with Rule 11 of the Conduct of Election Rules, 1961, outlines the procedure for declaring candidates elected in uncontested elections. It mandates that the returning officer must declare all candidates elected if the number of candidates is equal to the number of seats to be filled. Section 53 of the Representation of People Act, 1951 reads as follows: -

53 Procedure in contested and uncontested elections.—

(1) If the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken.

(2) If the number of such candidates is equal to the number of seats to be filled, the returning officer shall forthwith declare all such candidates to be duly elected to fill those seats.

(3) If the number of such candidates is less than the number of seats to be filled, the returning officer shall forthwith declare all such candidates to be elected and the [Election Commission] shall, by notification in the Official Gazette, call upon the constituency or the elected members or the members of the State Legislative Assembly or the members of the electoral college concerned as the case may be, to elect a person or persons to fill the remaining seat or seats:

Provided that where the constituency or the elected members or the members of the State Legislative Assembly or the members of the electoral college having already been called upon under this sub-section, has or have failed to elect a person or the requisite number of persons, as the case may be, to fill the vacancy or vacancies, the [Election

Commission] shall not be bound to call again upon the constituency, or such members to elect a person or persons [until it is satisfied that if called upon again, there will be no such failure on the part of the constituency of such members].

5. That Rule 11 of the Conduct of Election Rules, 1961, in case of an uncontested election, instructs the returning officer to declare the candidate to be elected by filling in a Form and sending this to the appropriate authority, the Election Commission, and the chief electoral officer. Rule 11 read as follows:

11. Publication of list of contesting candidates and declaration of result in uncontested election.— (1) *The returning officer shall, immediately after its preparation, cause a copy of the list of contesting candidates to be affixed in some conspicuous place in his office and where the number of contesting candidates is equal to, or less than, the number of seats to be filled, he shall, immediately after such affixation, declare under sub-section (2) or as the case may be, sub-section (3) of section 53 the result of the election in such one of the Forms 21 to 21B as may be appropriate and send signed copies of the declaration to the appropriate authority, the Election Commission and the chief electoral officer.*

(2) If a poll becomes necessary under sub-section (1) of section 53, the returning officer shall supply a copy of the list of contesting candidates to each such candidate or his election agent, and then shall also publish the list in the Official Gazette.

Section 53(2) has a propensity of enabling entry of a politician with corrupt or criminal background and making him/her a Law-makers by default.

6. Section 53(2) read with Rule 11 of the Conduct of Election Rules, 1961 not only permits the unfair entry of law makers by default

into the key constitutional posts and offices but this provision also prevents voters from exercising their choice by limiting the number of candidates to the number of seats. In an uncontested election, voters do not have the option to choose between different candidates or to vote against all candidates. The absence of a contest may suggest a lack of genuine representation, as the elected individuals may not have been chosen by a free and fair vote. That a representative government, sourcing its legitimacy from the People, who are the ultimate sovereign, is the kernel of the democratic system. It is imperative for every democratic representative society that *law breakers should not be the law makers*. In order to achieve this goal, this Hon'ble court has passed a slew of judgements over the last few years.

7. That democracy not only gives citizen the freedom and choice to choose candidates but also to choose candidates of high moral and ethical values. This Hon'ble Court vide judgment dated 23.09.2013 in ***PUCCL v. Union of India (2013) 10 SCC 1*** introduced 'NOTA' button on the EVMs. The judgment had not only upheld the system for NOTA but had also emphasised that - *When the political parties realize that a large number of people are expressing their disapproval with the candidates being put up by them, gradually there will be a systemic change and the political parties will be forced to accept the will of the people and field candidates who are known for their integrity.*
8. That apart from promoting free and fair elections, NOTA provides voters with an opportunity to verbalize themselves unreservedly by allowing voters to express their dissatisfaction without fear or

favour with the kind of candidates fielded by political parties. It empowers the voters, gives them freedom to reject thereby sending a clear message to the political parties as well as candidates to field sincere, honest and credible candidates. NOTA is a significant electoral reform that reinforces the voter's participation in the electoral affairs, their right to reject candidates, ensuring that electoral outcomes reflect genuine public consent. This Hon'ble Court in ***PUCL v. Union of India (2013) 10 SCC 1*** held the following:

53. Democracy being the basic feature of our constitutional set-up, there can be no two opinions that free and fair elections would alone guarantee the growth of a healthy democracy in the country. The "fair" denotes equal opportunity to all people. Universal adult suffrage conferred on the citizens of India by the Constitution has made it possible for these millions of individual voters to go to the polls and thus participate in the governance of our country. For democracy to survive, it is essential that the best available men should be chosen as people's representatives for proper governance of the country. This can be best achieved through men of high moral and ethical values, who win the elections on a positive vote. Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above (NOTA) button, which will indeed compel the political parties to nominate a sound candidate. This situation palpably tells us the dire need of negative voting.

55. Democracy is all about choice. This choice can be better expressed by giving the voters an opportunity to verbalise themselves unreservedly and by imposing least restrictions on their ability to make such a choice. By providing NOTA button in the EVMs, it will accelerate the

effective political participation in the present state of democratic system and the voters in fact will be empowered. We are of the considered view that in bringing out this right to cast negative vote at a time when electioneering is in full swing, it will foster the purity of the electoral process and also fulfil one of its objective, namely, wide participation of people.

9. It is respectfully submitted that nothing has stopped the Commission from implementing the NOTA judgment of this Hon'ble Court in its true letter and spirit. In fact, in 2018 few State Election Commissioners (Maharashtra and Haryana) had not only used NOTA in the local body elections but they had also implemented it in its letter and spirit. Article 324 of the Constitution gives sufficient powers to the Election Commission of India for '*superintendence, direction and control*' in conduct of election in order to accomplish free and fair elections. Therefore, pursuant to the judgment of this Hon'ble Court on NOTA, Election Commission should have exercised its wider powers under Article 324 of the Constitution to proclaim NOTA as winner in event of highest number of votes. Furthermore, Rule 64 of the Conduct of Election Rules, 1961 that gives powers to the RO to declare a candidate who has received the largest number of votes as winner needs to be amended. Rule 64 of the Conduct of Election Rules, 1961 shall be amended for the following reasons:

- i. 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.

- ii. 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.

- 10.** That in a scenario where no poll is conducted under the guise of Section 53(2), voters are left helpless as Section 53(2) denies voters the opportunity to use the NOTA option and express their opinion. This restriction prevents citizens from exercising their right to dissent, which this Hon'ble Court has recognized as integral to democratic choice. The absence of a poll implies voters cannot formally register their disapproval of an unopposed candidate, potentially allowing candidates to secure office without a true electoral mandate.
- 11.** That it is humbly submitted that in the 2019 Lok Sabha elections 65,14,558 NOTA votes (1.06%) were polled and in 2024, 63,72,220 NOTA votes (0.99%) were polled. In 2024, there were a number of constituencies which had a fairly large percentage of NOTA votes. Indore (Madhya Pradesh) topped with 14 %, followed by Araku (Andhra Pradesh) with 4.33%, Gopalganj (Bihar) with 4.03% and Nabarangpur (Odisha) with 3.48%. That among the top 3 States, percentage of vote share of NOTA in 2024 Lok Sabha elections was Bihar at 2.07%, Dadra & Nagar Haveli and Daman & Diu at 2.06% followed by Gujarat at 1.58%.

A copy of ADR's report dated 04.07.2024 titled '*Analysis of Vote Share, Margin of Victory and Representativeness of Winners in Lok Sabha Elections, 2024*' is annexed herewith and marked as **Annexure A1 (Pages 34 to 43)**.

12. That it is further submitted that some State Election Commissioners (SECs) had taken some remarkable initiatives on NOTA by implementing the judgment of this Hon'ble Court in its letter and spirit by introducing NOTA in the Panchayats and Urban Local body elections. In November 2018, the Maharashtra State Election Commission (SEC) declared that if NOTA gets maximum votes in an election, re-election would be held. The Maharashtra SEC *vide* notification dated 06.11.2018 stated that *"If it is noticed while counting that NOTA has received the highest number of valid votes, the said election for that particular seat shall be countermanded and a fresh election shall be held for such a post."* A copy of notification dated 06.11.2018 published by Maharashtra SEC is annexed herewith as **ANNEXURE A2 (Pages 44 to 53)**.

13. Thereafter, Haryana SEC *vide* notification dated 22.11.2018 went a step ahead and announced that NOTA would be deemed as a fictional candidate and it was notified that *"if all the contesting candidates individually receive lesser votes than NOTA," then not only would "none of the contesting candidates be declared as elected," but "all such contesting candidates who secured less votes than NOTA shall not be eligible to re-file the nomination/contest the re-election."* A copy of notification dated 22.11.2018 published by Haryana SEC is annexed herewith as **ANNEXURE A3 (Pages 54 to 68)**.

14. It is submitted that NOTA option is not just ornamental but rather acts as a serious deterrence against the grave problem of criminalization and corruption by sending a stern message and

pressurizing the political parties to field candidates on merit. Therefore, it is necessary that NOTA option must be exercised even in case of a single candidate. Many countries in the world have recognized neutral, protest or negative voting in their electoral process such as France, Sweden, Belgium and Brazil among others. Instead of deriding the NOTA as a toothless or failed idea, all stakeholders must combine to make it stronger so that the longstanding aim of this Hon'ble court in cleansing the system is achieved.

15. That it is imperative that elected representatives should not be merely declared elected in the name of the people, but they must actually be voted into office through the mandate of the people. This is the real essence and spirit of representative democracy. Section 53(2) *undoubtedly burden both i) the right to vote by preventing electors from voting and ii) by denying candidates the legitimacy of the voter's sanction.* That permitting entry of unopposed candidate denies citizen's right to vote for their "elected" public officers, which in turn denies those officers the legitimacy conferred by popular election. It therefore, goes against the spirit of representative democracy that a person who was not elected by the people of the country, should be otherwise appointed as a Minister of a State.

16. That Section 53(2) of the RP Act, 1951 not only negates a citizen's right to vote and right to reject but the present provision also suffers from various anomalies by making an easy and unchecked entry of the criminal elements from occupying high elective offices as MPs and MLAs. These loopholes in the law and the electoral

system have resulted in *law breakers becoming law makers* in the last few decades. Needless to say, this state of affair has corroded the vitals of democracy in India. The Indian people are increasingly becoming cynical and contemptuous about the shell of a democracy presently obtaining in the country, with the soul missing.

17. That bribery, coercion, undue influence, criminal intimidation and other forms of corrupt practices indulged by candidates during elections is a sad reality deeply ingrained in our electoral system. Therefore, a system which facilitates and legalizes the smooth entry of candidates without elections can end up working in tandem with these kinds of candidates without merit and who indulge in such corrupt practices. That case in point is the data analysed by ADR on number of candidates, MPs and MLAs who have declared cases against them relating to bribery, undue influence at elections, criminal intimidation and other forms of corrupt practices.

Lok Sabha Elections 2024			
Number of Candidates Analysed	Number of Candidates Declared Charges Related to Bribery (IPC section-171B and 171E)	Number of Candidates Declared Charges Related to Punishment for Criminal Intimidation (IPC section-506)	Number of Candidates Declared Charges Related to Undue influence at elections (IPC section-171C and 171F)
8338	30	598	57
Number of MPs Analysed	Number of MPs Declared Charges Related to	Number of MPs Declared Charges Related to Punishment for	Number of MPs Declared Charges Related to Undue influence at

	Bribery (IPC section-171B and 171E)	Criminal Intimidation (IPC section-506)	elections (IPC section-171C and 171F)
543	8	78	28
Delhi Assembly Elections Election 2025			
Number of Candidates Analysed	Number of Candidates Declared Charges Related to Bribery (IPC section-171B and 171E)	Number of Candidates Declared Charges Related to Punishment for Criminal Intimidation (IPC section-506 and BNS section-351(2))	Number of Candidates Declared Charges Related to Undue influence at elections (IPC section-171C and 171F)
699	1	37	0
Number of MLAs Analysed	Number of MLAs Declared Charges Related to Bribery (IPC section-171B and 171E)	Number of MLAs Declared Charges Related to Punishment for Criminal Intimidation (IPC section-506 and BNS section-351(2))	Number of MLAs Declared Charges Related to Undue influence at elections (IPC section-171C and 171F)
70	0	9	0
Maharashtra Assembly Elections Election 2024			
Number of Candidates Analysed	Number of Candidates Declared Charges Related to Bribery (IPC section-171B, 171E and BNS section-173)	Number of Candidates Declared Charges Related to Punishment for Criminal Intimidation (IPC section-506 and BNS section-351(2))	Number of Candidates Declared Charges Related to Undue influence at elections (IPC section-171C and 171F)
4108	6	420	9

Number of MLAs Analysed	Number of MLAs Declared Charges Related to Bribery (IPC section-171B, 171E and BNS section-173)	Number of MLAs Declared Charges Related to Punishment for Criminal Intimidation (IPC section-506 and BNS section-351(2))	Number of MLAs Declared Charges Related to Undue influence at elections (IPC section-171C and 171F)
286	3	48	7

18. This Hon'ble Court in catena of judgments has held democracy as part of the basic structure of the Constitution and Rule of Law and free and fair election is its basic foundation. This Hon'ble Court in ***Lily Thomas Vs Union of India (2013) 7 SCC 653*** where the unfair arbitrary protection given to a sitting Member of Parliament or the Legislature of a State in sub-section (4) of Section 8 of the Representation of People Act, 1951 was declared ultra vires the constitution by holding that enactment of this provision is beyond the legislative competence of the Parliament. The operative para of the said order is extracted below:

"The result of our aforesaid discussion is that the affirmative words used in Articles 102(1)(e) and 191(1)(e) confer power on Parliament to make one law laying down the same disqualifications for a person who is to be chosen as member of either House of Parliament or as a member of the Legislative Assembly or Legislative Council of a State 34 and for a person who is a sitting member of a House of Parliament or a House of the State Legislature and the words in Articles 101(3)(a) and 190(3)(a) of the Constitution put express limitations on such powers of the Parliament to defer the date on which the disqualifications would have effect. Accordingly, sub-section (4) of Section 8 of the Act which carves out a saving in the case of sitting

members of Parliament or State Legislature from the disqualifications under sub-sections (1), (2) and (3) of Section 8 of the Act or which defers the date on which the disqualification will take effect in the case of a sitting member of Parliament or a State Legislature is beyond the powers conferred on Parliament by the Constitution."

"Looking at the affirmative terms of Articles 102(1)(e) and 191(1)(e) of the Constitution, we hold that Parliament has been vested with the powers to make law laying down the same disqualifications for person to be chosen as a member of Parliament or a State Legislature and for a sitting member of a House of Parliament or a House of a State Legislature. We also hold that the provisions of Article 101(3)(a) and 190(3)(a) of the Constitution expressly prohibit the Parliament to defer the date from which the disqualification will come into effect in case of a sitting member of Parliament or a State Legislature. Parliament, therefore, has exceeded its powers conferred by the Constitution in enacting sub-section (4) of Section 8 of the Act and accordingly sub-section (4) of Section 8 of the Act is ultra vires the Constitution."

- 19.** That any such attempt of bias or differential treatment as in case of uncontested candidates as law-makers would be arbitrary, unreasonable, illogical and violative of Article 14 of the Constitution of India, which espouses 'Equality before law' and 'Equal protection of laws' for all. This Hon'ble Court has already held in ***E.P Rayappa v. State of Tamil Nadu [(1974) 4 SCC 3]*** that *"Where an act is arbitrary it is implicit in it that it is unequal both according to political logic and constitutional law and is therefore violative of Art. 14....."*

- 20.** That Section 53(2) of the Representation of People Act, 1951 does not provide a reasonable rationale for making an exception of not

going into polls in case of uncontested candidates and is therefore, arbitrary and discriminatory and therefore violative of Article 14 of the Constitution. In fact, candidates contesting elections to State Assembly and Parliamentary constituencies stand on the same footing as that of uncontested candidates and therefore any form of exemption or concession given in cases of uncontested candidates under the garb of Section 53(2) would be ultra vires and forlornly fails any test of reasonableness and constitutionality.

21. That it is also submitted that it was beyond the legislative competence and power of the Parliament to enact Section 53(2) of the Representation of People Act, 1951 and to make such an erroneous provision under law which facilitates the smooth unchecked unaudited entry of candidates without judging them on the basis of merit, integrity and honesty. The erroneous provisions also denies the voters an opportunity to inspect, audit and finally give their mandate. The aforementioned provision comes directly in conflict with voters fundamental '*Right to choose*', '*Right to make an informed choice*' and '*Right to reject*' therefore should be declared ultra vires the Constitution by this Hon'ble Court. In fact, on the face of it Section 53(2) seems to be patently unreasonable, arbitrary and illegal as it not only permits candidates without merit but also works to their advantage rather than in larger public interest.

22. That in a country like India election is a gigantic affair. Our electoral and political process is already dominated by many tribulations where corruption is widespread, there is rampant display of money, nexus between muscle and mafia are dictating

the electoral process. That under such circumstances, Section 53(2) is barely a corrective measure but in fact is prone to be abused for political gains. The power given under this provision is uncontrolled, unfair and trespasses the idea of fairness and participatory democracy.

23.In **Krishnamoorthy vs. Shivkumar and Ors, C.A No. 1478/2015**, when this Hon'ble Court was called upon to decide the case of non-disclosure of the criminal antecedents of the candidate at the time of filing of the nomination papers and its eventual impact on the democracy, it was observed by this Hon'ble court with the opening lines:

"In a respectable and elevated constitutional democracy purity of election, probity in governance, sanctity of individual dignity, sacrosanctity of rule of law, certainty and sustenance of independence of judiciary, efficiency and acceptability of bureaucracy, credibility of institutions, integrity and respectability of those who run the institutions and prevalence of mutual deference among all the wings of the State are absolutely significant, in a way, imperative. They are not only to be treated as essential concepts and remembered as glorious precepts but also to be practised so that in the conduct of every individual they are concretely and fruitfully manifested. The crucial recognised ideal which is required to be realised is eradication of criminalisation of politics and corruption in public life. When criminality enters into the grass-root level as well as at the higher levels there is a feeling that 'monstrosity' is likely to wither away the multitude and eventually usher in a dreadful fear that would rule supreme creating an incurable chasm in the spine of the whole citizenry. In such a situation the generation of today, in its effervescent ambition and volcanic fury, smothers the hopes, aspirations and values of tomorrow's generation and contaminate them with the idea to pave the path of the past, possibly thinking, that is the noble tradition and corruption can be a way of life and one can get away with it by a well decorated

exterior. But, an intervening and pregnant one, there is a great protector, and an unforgiving one, on certain occasions and some situations, to interdict – "The law', the mightiest sovereign in a civilised society."

"75. The sanctity of the electoral process imperatively commands that each candidate owes and is under an obligation that a fair election is held."

24. That another major predicament that has been haunting our electoral and political process for more than 25 years is the unregulated, unchecked and non-transparent functioning of political parties. Because of the absence of any law governing the functioning of political parties, there is no internal democracy with parties, no well-defined process in the selection of candidates by the political parties. Political parties have blatantly refused to come under the RTI Act since the 3rd June, 2013 order of the Central Information Commission (CIC) which had declared six national parties (INC, BJP, CPI, CPI(M), BSP and NCP) as public authority. Tickets are given to the candidates for contesting elections on the sole basis of winnability factor. Historically, it has been observed that muscle power and money power make a winning combination. Therefore, candidates with criminal background or candidates who are rich or can generate maximum amount of wealth quietly conveniently make their foray into the Lok Sabha and State Assembly elections as political parties do not hesitate in giving tickets to such candidates.

25. That the incessant failure of the Governments for the past 20 years to cure various malignancy in our electoral and political process is not only sad but appalling. The case in point is the observation

made by the Constitutional bench of this Hon'ble Court in *Public Interest Foundation and others vs. Union of India and another; 2019 (3) SCC 224* wherein the court had categorically asked the Government to take concrete steps in the light of decriminalization of politics. This Hon'ble Court had observed in Para No. 119;

26. The Hon'ble Court had in its other order dated 10th August, 2021 in ***Brajesh Singh Vs. Sunil Arora & Ors.*** 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..."

27. That the Preamble of Representation of People Act, 1951 specifies that the sole objective and scope of the Act of 1951 is to provide for the conduct of elections to the Parliament and State Legislative Assemblies and the qualifications and disqualifications of the persons for the membership of those Houses. The relevant lines of the Preamble are reproduced below:

*"An Act to provide for the conduct of elections of the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the corrupt 1 * * * practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such elections."*

The Preamble of Indian Constitution gives supreme power to its citizens:

28. The Preamble of the Constitution of India clearly states *"WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India*

into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens." That the word '*Sovereignty*' signifies supreme and ultimate power and this power is vested upon the elected representatives of the people by the will of the people. That the term '*Democratic*' indicates that the Constitution has established a form of government which gets its authority from the will of the people expressed in an election.

29. That in a representative functional democracy final mandate is of a voter. The words '*We the People of India*' resonating in the opening words in the Preamble clearly indicates in unambiguous terms that the Constitution has been adopted, enacted and given to themselves by the People of India. It emphasizes the sovereignty of the people in a democratic form of government and the fact that all powers of government flow from the people. It is the 'People of India' on whose authority the Constitution rests. The Preamble surmises that it is the people of this country who are the main stakeholders.

30. That the Preamble to Indian Constitution is not merely a beautifully worded prologue. Rather our Preamble records the aims and aspirations of the '*People of India*' which have been translated into the various provisions of the Constitution and contains the basic ideals, objectives, and philosophical postulates the Constitution of India stands for. In ***Kesavananda Bharati*** this Hon'ble Court while tracing back the history of the drafting and ultimate adoption of the Preamble had attached much importance to the Preamble. It was observed

"Even from the Preamble limitations have been derived in some cases. It seems to me that the preamble of our Constitution is of extreme importance and the constitution should be read and interpreted in the light of the grand and noble vision expressed in the preamble."

31. That the public office is the office of purest form where public duty is paramount. Therefore, persons with criminal background or persons who are corrupt should not enter into our electoral process. That in the instant case, Section 53(2) of RP Act has deceived the electorate by failing in guarding the public office against persons with dubious background and has rather greeted with open arms.

32. That the hallmark of a vibrant democracy is the conduct of free and fair elections with all candidates and political parties having a level playing field. This fundamental principal, however, has become skewed with the deteriorating standards of ethical and moral propriety of India's parliamentary democracy. Criminal elements have been playing a major role in the electoral process in India both as candidates for elections and as party workers. The flow of unaccounted unlimited money pre and post elections has been normalized because no political contestant sees it as a problem. The Constitution of India unmistakably expounds that '*mass democracy can only function in the form of a representative democracy*'. This Hon'ble Court has sufficient powers to curb this present menace. Therefore, it is the mandate of this Hon'ble Court to safeguard the basic structure of the Constitution and also to ensure that the people of India enjoy their fundamental rights.

33. That in ***Manoj Narula vs. Union of India and others***, W.P (C) No. 289/2005, the five-member bench dealt with the qualifications of our Parliamentarians and observed in the opening lines:

"Democracy, which has been best defined as the Government of the People, by the People and for the People, expects prevalence of genuine orderliness, positive propriety, dedicated discipline and sanguine sanctity by constant affirmation of constitutional morality which is the pillar stone of good governance. While dealing with the concept of democracy, the majority in Indira Nehru Gandhi v. Raj Narain, stated that 'democracy' as an essential feature of the Constitution is unassailable. The said principle was reiterated in T.N. Seshan, CEC of India v. Union of India and ors. and Kuldip Nayar v. Union of India & Ors. It was pronounced with asseveration that democracy is the basic and fundamental structure of the Constitution. There is no shadow of doubt that democracy in India is a product of the rule of law and aspires to establish an egalitarian social order. It is not only a political philosophy but also an embodiment of constitutional philosophy. In People's Union for Civil Liberties and another v. Union of India and another, while holding the voters' rights not to vote for any of the candidates, the Court observed that democracy and free elections are a part of the basic structure of the Constitution and, thereafter, proceeded to lay down that democracy being the basic feature of our constitutional set-up, there can be no two opinions that free and fair elections would alone guarantee the growth of a healthy democracy in the country. The term "fair" denotes equal opportunity to all people. Universal adult suffrage conferred on the citizens of India by the Constitution has made it possible for millions of individual voters to participate in the governance of our country. For democracy to survive, it is fundamental that the best available men should be chosen as the people's representatives for the proper governance of the country and the same can be best achieved through men of high moral and ethical values who win the elections on a positive vote. Emphasizing on a vibrant democracy, the Court observed that the voter must be given an opportunity to choose none of the above (NOTA) button, which will indeed compel the political parties to nominate a sound candidate.

Accordingly, the principle of the dire need of negative voting was emphasized. The significance of free and fair election and the necessity of the electorate to have candidates of high moral and ethical values was re-asserted. In this regard, it may be stated that the health of democracy, a cherished constitutional value, has to be protected, preserved and sustained, and for that purpose, instilment of certain norms in the marrows of the collective is absolutely necessitous."

9. It is worth saying that systemic corruption and sponsored criminalization can corrode the fundamental core of elective democracy and, consequently, the constitutional governance. The agonized concern expressed by this Court on being moved by the conscious citizens, as is perceptible from the authorities referred to hereinabove, clearly shows that a democratic republic polity hopes and aspires to be governed by a Government which is run by the elected representatives who do not have any involvement in serious criminal offences or offences relating to corruption, casteism, societal problems, affecting the sovereignty of the nation and many other offences."

37. citizens in a democracy cannot be compelled to stand as silent, deaf and mute spectators to corruption by projecting themselves as helpless. The voters cannot be allowed to resign to their fate.

Magnitude of the Problem: Current State of Indian electoral sphere, ADR's Analysis:

- 34.** The strong nexus between money power and muscle power is already dominating the Indian electoral and political system. This grave and persistent problem has not escaped the eyes of this Hon'ble court and this court has tried to cure the malice through slew of judgments and repeatedly advised the law-makers to cure this malice in order to stem the rot in the world's largest

democracy. However, in spite of all the pleadings before the law makers as well as the political contestants, the menace of criminalization continues to haunt the Indian electoral and political system. To weigh the “character and magnitude” of the harm done by the prevalence of such elements in Indian Politics, the applicant organization is taking the liberty before this Hon’ble court to furnish data analyzed on criminal and financial background of the candidates, MPs and MLAs.

Candidates Criminal Background: Lok Sabha 2014, 2019 and 2024

35. Candidates with Declared Criminal Cases: Out of the **8337** candidates analysed in **Lok Sabha Elections 2024**, **1643 (20%) candidates** had declared criminal cases against themselves. Out of the 7928 candidates analysed during **Lok Sabha Election in 2019**, **1500 (19%) candidates** had declared criminal cases against themselves. Out of 8205 candidates analysed during **Lok Sabha elections in 2014**, **1404(17%)** candidates had **declared criminal cases** against themselves.

36. Candidates with Serious Criminal Cases: **1191 (14%)** candidates contesting in **Lok Sabha Elections 2024** had declared serious criminal cases including charges related to **rape, murder, attempt to murder, kidnapping, crimes against women** etc. Out of 7928 candidates analysed during **Lok Sabha elections in 2019**, **1070(13%)** candidates had **declared serious criminal cases** against themselves. Out of 8205 candidates analysed during **Lok Sabha elections in 2014**,

908(11%) candidates had **declared serious criminal cases** against themselves.

S. No	Lok Sabha Election Year	Total Number of Candidates Analysed	Number of Candidates with Declared Criminal Cases	Percentage of Candidates with Declared Criminal Cases	Number of Candidates with Declared Serious Criminal Cases	Percentage of Candidates with Declared Serious Criminal Cases
1	2014	8205	1404	17%	908	11%
2	2019	7928	1500	19%	1070	13%
3	2024	8337	1643	20%	1191	14%

Table: Candidates with Declared Criminal Cases: Lok Sabha 2014, 2019 and 2024

Candidates Financial Background: Lok Sabha 2014, 2019 and 2024

37. Crorepati candidates: Out of the 8337 candidates analysed, **2572 (31%)** were crorepatis. Out of **7928** candidates analysed during **Lok Sabha 2019 elections, 2297 (29%)** candidates were crorepatis. Out of **8205** candidates analysed during **Lok Sabha 2014 elections, 2217 (27%)** candidates were crorepatis.

S.No.	Lok Sabha Election Year	Total Number of Candidates Analysed	Crorepati Candidates	Percentage of Crorepati Candidates
1	2014	8205	2217	27%
2	2019	7928	2297	29%
3	2024	8337	2572	31%

Table: Crorepati Candidates: 2014, 2019 and 2024

A copy of ADR's report dated 29.05.2024 titled '*Analysis of Criminal Background, Financial, Education, Gender and other Details of Candidates*' and '*Analysis of Assets Comparison of Re-Contesting MPs in the Lok Sabha Election, 2024*' is annexed herewith and marked as **Annexure A4 (Pages 69 to 72)**.

MPs Criminal Background: Lok Sabha 2014, 2019 and 2024

38.MPs with Declared Criminal Cases Out of the 543 MPs analysed in Lok Sabha 2024, 251 (46%) winning candidates have declared criminal cases against themselves. Out of 539 MPs analysed during Lok Sabha elections in 2019, 233(43%) MPs had declared criminal cases against themselves. Out of 542 MPs analysed during Lok Sabha elections in 2014, 185(34%) MPs had declared criminal cases against themselves.

39.MPs with Serious Criminal Cases: 170 (31%) MPs in Lok Sabha 2024 Elections have declared serious criminal cases including cases related to rape, murder, attempt to murder, kidnapping, crimes against women etc. Out of 539 MPs analysed during Lok Sabha elections in 2019, 159(29%) MPs had declared serious criminal cases against themselves. Out of 542 MPs analysed during Lok Sabha elections in 2014, 112(21%) MPs had declared serious criminal cases against themselves.

S. No.	Lok Sabha Election Year	Number of MPs Analyzed	Number of MPs with Declared Criminal	Percentage of MPs with Declared Criminal Cases	Number of MPs with Declared Serious	Percentage of MPs with Declared Serious Criminal Cases
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			al Cases		Crimin al Cases	
1	2014	542	185	34%	112	21%
2	2019	539	233	43%	159	29%
3	2024	543	251	46%	170	31%

Table: MPs with Declared Criminal Cases: 2014, 2019 and 2024

MPs Financial Background: Lok Sabha 2014, 2019 and 2024

40. Crorepati MPs: Out of the 543 MPs analysed, 504 (93%) are crorepatis. Out of 539 MPs analysed during Lok Sabha 2019 elections, 475 (88%) MPs were crorepatis. Out of 542 MPs analysed during Lok Sabha 2014 elections, 443 (82%) MPs were crorepatis.

S.No.	Lok Sabha Election Year	Number of MPs Analysed	Number of Crorepati MPs	Percentage of Crorepati MPs
1	2014	542	443	82%
2	2019	539	475	88%
3	2024	543	504	93%

Table: Crorepati MPs: 2014, 2019 and 2024

A copy of ADR's report dated on 06.06.2024 titled *Analysis of Criminal Background, Financial, Education, Gender and other details of Winning candidates in the Lok Sabha Election 2024* is annexed herewith and marked as **Annexure A5 (Pages 73 to 76)**.

Association for Democratic Reform's Analysis of Sitting MLAs from 28 State Assemblies and 3 Union Territories of India 2025
Criminal Background

41. Sitting MLAs with Criminal Cases: Out of the 4092 MLAs analysed from state assemblies, 1861 (45%) MLAs have declared criminal cases against themselves.

42. Sitting MLAs with Serious Criminal Cases: 1205 (29%) MLAs from State assemblies have declared serious criminal cases including cases related to murder, attempt to murder, kidnapping, crimes against women etc.

Financial Background

43. Billionaire MLAs: Out of the 4092 MLAs analysed from State Assemblies, 119 (3%) are Billionaires.

44. Total assets of sitting MLAs: The total assets of 4092 sitting MLAs are Rs. 73,348 Crores. This is more than the Rs. 72,000 Crores combined annual budget (2023-24) of the states of Nagaland (Rs. 23,086 Crores), Tripura (Rs. 26,892 Crores) and Meghalaya (Rs 22,022 Crores).

A copy of ADR's report dated 17.03.2025 titled '*Analysis of Sitting MLAs from 28 State Assemblies and 3 Union Territories of India 2025*' on criminal and financial background of the candidates in Lok Sabha Elections 2024 is annexed herewith and marked as **Annexure A6** (Pages 77 to 80).

45. That therefore, in this backdrop Section 56(3) of the RP Act, 1951 is not only wrong and unjust but also amounts to a grave miscarriage of justice. In ***K. Chinnaswamy Reddy v. State of Andhra Pradesh, AIR 1962 SC 1788*** it was held; "*A glaring defect in the procedure or a manifest error on a point of law is consequently a flagrant miscarriage of justice.*"

46. That on 25.11.1949, Dr. B.R. Ambedkar in the Constituent Assembly and the following day, on 25.11.1949, emphasized that the success of India's Constitution depends not on its provisions alone but on the quality, integrity, and character of the people administering it. Dr. Ambedkar had said:- — *Whatever the Constitution may or may not provide, the welfare of the country will depend upon the way in which the country is administered. That will depend upon the men who administer it. It is a trite saying that a country can have only the Government it deserves. Our Constitution has provisions in it which appear to some to be objectionable from one point or another. We must admit that the defects are inherent in the situation in the country and the people at large. If the people who are elected are capable and men of character and integrity, they would be able to make the best even of a defective Constitution. If they are lacking in these, the Constitution cannot help the country. After all, a Constitution like a machine is a lifeless thing. It acquires life because of the men who control it and operate it, and India needs today nothing more than a set of honest men who will have the interest of the country before them.*"

47. That the importance of free and fair elections stems from two factors— instrumentally, *its central role in selecting persons who will govern the people*, and *intrinsically, as being a legitimate expression of popular will*. Emphasizing on the importance of free and fair elections in a democratic polity, this Hon'ble Court in ***Mohinder Singh Gill vs. Chief Election Commissioner; AIR 1978 SC 851*** had ruled:-

"Democracy is government by the people. It is a continual participative operation, not a cataclysmic periodic exercise. The little man, in his multitude, marking his vote at the poll does a social audit of his Parliament plus political choice of this proxy. Although the full flower of participative Government rarely blossoms, the minimum credential of popular government is appeal to the people after every term for a renewal of confidence. So we have adult franchise and general elections as constitutional compulsions... It needs little argument to hold that the heart of the Parliamentary system is free and fair elections periodically held, based on adult franchise, although social and economic democracy may demand much more."

48. That in ***Secretary, Ministry of Information and Broadcasting, Government of India and Others v. Cricket Association of Bengal and others [(1995) 2 SCC 161]***, this Hon'ble Court considered aptly summarized the law on the freedom of speech and expression by holding;

"44. The freedom of speech and expression includes right to acquire information and to disseminate it. Freedom of speech and expression is necessary, for self- fulfilment. It enables people to contribute to debate on social and moral issues. It is the best way to find a truest model of anything, since it is only through it that the widest possible range of ideas can circulate. It is the only vehicle of political discourse so essential to democracy. Equally important is

the role it plays in facilitating artistic and scholarly endeavours of all sorts... ”

- 49.** That Justice H R Khanna in his powerful dissent in ADM Jabalpur case said: *"What is at stake is the rule of law. If it could be the boast of a great English judge that the air of England is too pure for a slave to breathe, can we also not say with justifiable pride that this sacred land shall not suffer eclipse of the Rule of Law and that the Constitution and laws of India do not permit life and liberty to be at the mercy of absolute power of executive, a power against which there can be no redress... The question is whether the laws speaking through the authority of courts shall be rendered mute because of such threats."*
- 50.** That the object of the aforesaid application, by challenging the vires of Section 53(2) of the RP Act, 1951 read with Rule 11 of the Conduct of Election Rules, 1961 is to curb out the crime, corruption and the corrupt practices from the Indian politics and to assist this Hon'ble court to reach to a vital solution. The said subject matter has been critical to the objective for which the Applicant Association was formed. The Applicant Association would be able to assist this Hon'ble Court to arrive at just and reasonable conclusion in the aforesaid Writ Petition.
- 51.** In light of above it is respectfully submitted that the applicant may be allowed to intervene in the present proceedings and make submissions in support of the prayer made in the Writ Petition.

PRAYER

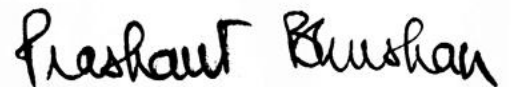
In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- a) Allow the present Application and pass an order allowing the intervention of the Applicant in Writ Petition (Civil) No. 677 Of 2024 titled *The Vidhi Centre For Legal Policy v Union Of India & Ors.* and permit the Applicant to make submissions and assist this Hon'ble Court in adjudication of the said Writ Petition.

- b) Pass such other order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the instant case;

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.

FILED BY:



(PRASHANT BHUSHAN)
COUNSEL FOR THE APPLICANT

NEW DELHI
FILED ON: 18 .07.2025

IN THE SUPREME COURT OF INDIA
(CIVIL ORIGINAL JURISDICTION)

I.A.NO. _____ OF 2025

IN

WRIT PETITION (CIVIL) NO. 677 OF 2024

IN THE MATTER OF:

THE VIDHI CENTRE FOR LEGAL POLICY

.....PETITIONER

VERSUS

UNION OF INDIA & ORS.

.....RESPONDENT

AND IN THE MATTER OF:

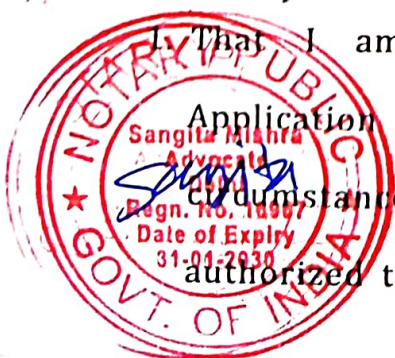
ASSOCIATION FOR DEMOCRATIC REFORMS

.....APPLICANT/INTERVENOR

AFFIDAVIT

I, Mr. Jagdeep S. Chhokar, Founder Trustee of the Applicant/Intervenor, R/o Plot No. E-5, 4th Floor, Lane -1, Westend Marg, Saidulajab, New Delhi 110030, do hereby affirm and state as under:

I, That I am the Applicant/Intervener in the above-mentioned Application and I am well conversant with the facts and circumstances of the instant case, I am fully competent and authorized to swear this Affidavit.



2. That I have read and got explained the contents of the accompanying application and I submit that they are true and correct as per my knowledge, information, belief and as per my records. I state that I have instructed my counsel to draft the petition on my behalf and as per my instructions and the legal submissions are drawn by my counsel and believed by me to be true.
3. That all the Annexures annexed with the instant application are true copies of their respective originals and formed part of the records of the case.
4. I state that I have accordingly instructed my Advocate-On-Record to draft the accompanying applications on the basis of the instructions as stated above. I have fully understood and I am aware of my instructions.

I identify the deponent who has signed/T. in my presence

Mr./Ms. Adv./Self

ID No. 616108998835



[Signature]

9 JUL 2025

DEPONENT

VERIFICATION

09 JUL 2025

I, the above-named Deponent, do hereby verify that the contents of the above Affidavit are true and correct to my knowledge, that no part of it is false and that nothing material has been concealed therefrom.

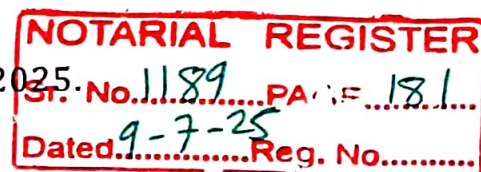


9 JUL 2025

ATTESTED

Sangita

Mrs. Sangita Mishra, Advocate
Notary Public, Govt. of India
Mob. No. 99000 2780



[Signature]

DEPONENT

Press Release

Lok Sabha Elections 2024

Analysis of Vote Share, Margin of Victory and Representativeness of Winners

Association for Democratic Reforms

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Summary and Highlights

Association for Democratic Reforms (ADR) and **National Election Watch (NEW)** have analysed the vote share for the **542** out of **543** constituencies in the Lok Sabha Elections, 2024, one constituency data has been not analysed as one candidate has been elected unopposed from Surat constituency of Gujarat. The voter's turnout for the Lok Sabha elections 2024 was **66.12%** whereas voter's turnout in Lok Sabha elections 2019 was **67.35%**.

Vote Share of Winners

- The winners of the Lok Sabha elections, **2024** won by an average of **50.58 %** of total votes polled. In the **2019 Lok Sabha** elections winners won by an average of **52.65%** of total votes polled.
- **279(51%)** winners won with 50% and above of the total votes polled in their constituency.
- **263(49%)** winners won with less than 50% of the total votes polled in their constituency.
- Out of 239 winners of **BJP**, **75(31%)** won with less than 50 % of total votes polled in their constituencies. **57(58%)** out of 99 winners from **INC**, **32(86%)** out of 37 winners from **SP**, **21(72%)** out of 29 winners from **AITC** and **14(64%)** out of 22 winners from **DMK** have won with less than 50% of total votes polled in their constituency.
- **106(42%)** out of 251 winners analysed with declared criminal cases have won with a vote share of **50% and above**.
- **173(59%)** out of 291 winners with clean background have won with a vote share of **50% and above**.
- **262(52%)** out of 503 crorepati winners analysed have won with a vote share of **50% and above**.
- **17(44%)** out of **39** non- crorepati winners have won with a vote share of **50% and above**.

Representativeness of Winners

- All the winners of the Lok Sabha Elections, 2024 won with an average of 33.44% of the total registered voters. This implies that the winners represent on an average, 33.44% of the total electorate. In the Lok Sabha Elections, 2019 also, winners won by an average of 35.46% of the total registered votes.

Margin of Victory

- 5 winners have won with margin of victory of less than 2000 votes.
- 5 winners have won with more than 50% of margin of victory.

Winners with Declared Criminal Cases and their Margin of Victory:

- 112 out of 251 winners with declared criminal cases have won against a runner up with a clean background.
- Among these 112 winners, 7 winners have won with more than 30% margin of victory.
- Among these, Shivraj Singh Chouhan (BJP) from Vidisha constituency in Madhya Pradesh won with 56.43 % margin of victory.

Winners with clean background and their Margin of Victory:

- 132 out of 291 winners with clean background have won against a runner up with declared criminal cases.
- Among these 132 winners, 10 winners have won with more than 30% margin of victory.
- Among these, Rakibul Hussain (INC) from Dhubri constituency won with 41.26% margin of victory.

Crorepati Winners and their Margin of Victory:

- 54 out of 503 crorepati winners have won against a non-crorepati runners up.
- Among these 54 winners, 5 winners have won with more than 30 % margin of victory.
- Among these, Shankar Lalwani (BJP) from Indore constituency in Madhya Pradesh won with 64.54% margin of victory.

Non-crorepati Winners and their Margin of Victory:

- 31 out of 39 non-crorepati winners have won against crorepati runners up.
- Among these 31 winners, 2 winners have won with more than 30% margin of victory.
- Among these, Bharatbhai Manubhai Sutariya (BJP) from Amreli constituency won with 36.63% margin of victory.

Performance of Women Winners:

- Among the 542 winners, 74 are women.
- Among the women winners, Kriti Devi Debbarman (BJP) from Tripura East Constituency in Tripura has won with the highest vote share, i.e. 68.54 % in her constituency and 42.92% of margin of victory.

Performance of Re-elected Winners:

- Out of total 214 re-elected winners **101(47%)** have won with more than 50% of vote share.
- **92** re-elected winners have won with less than 10% of margin of victory whereas 3 have won with more than 50% of margin of victory.

NOTA:

- The NOTA button instated by the ECI in 2013 gave the voters an options of rejecting all the candidates in their constituency. Out of 64,53,63,445 votes polled in Lok Sabha, 2024, **63,72,220 (0.99%)** were polled for NOTA. Out of 61,31,33,300 votes polled in Lok Sabha, 2019, **65,14,558 (1.06%)** were polled for NOTA. Out of 50,54,35,758 votes polled in Lok Sabha, 2014, **56,62,388 (1.12%)** were polled for NOTA.

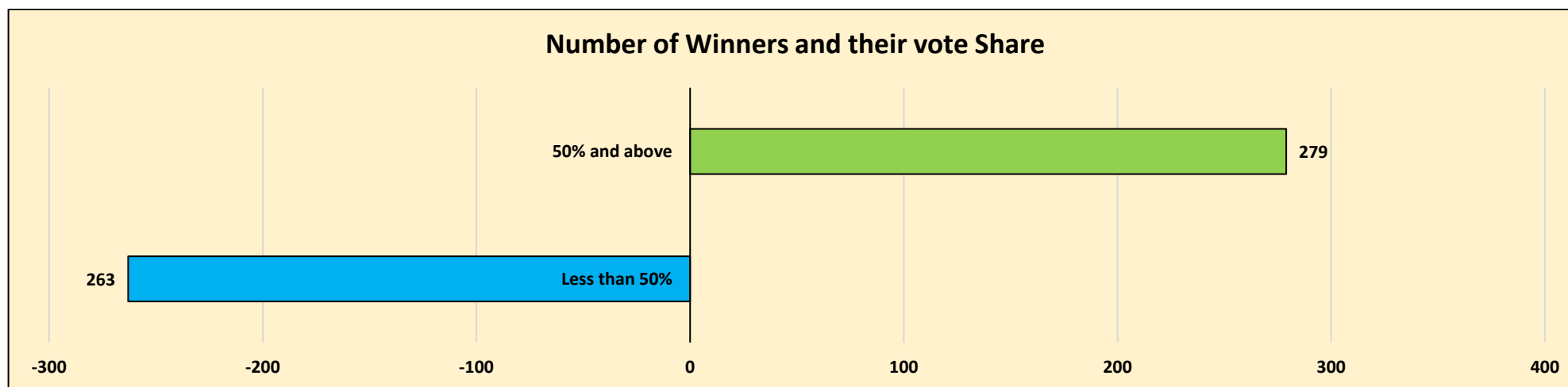


Figure: No. of Winners- Vote Share

Winners with highest vote share: 279(51%) winners won with 50% and above of the total votes polled in their constituency. The top 3 winners who have attained the highest vote share during the Lok Sabha Elections, 2024 are given below:

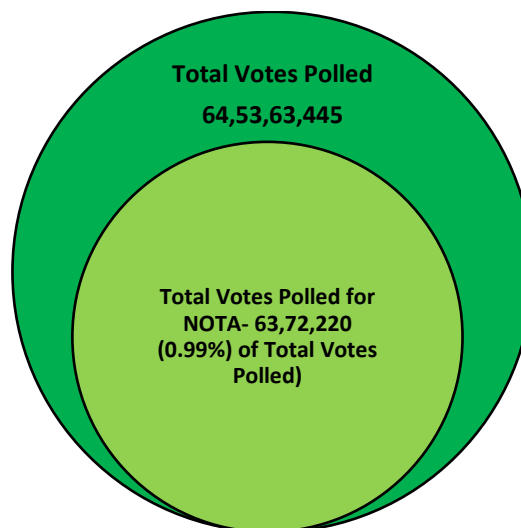
S.No.	State	Constituency	Total Valid Votes in The Constituency	Winner	Party	Votes Polled for Winner	% Vote share for Winner
1	Madhya Pradesh	Indore	1561968	Shankar Lalwani	Bharatiya Janata Party	1226751	78.54%
2	Gujarat	Navsari	1338216	C R Patil	Bharatiya Janata Party	1031065	77.05%
3	Madhya Pradesh	Vidisha	1455658	Shivraj Singh Chouhan	Bharatiya Janata Party	1116460	76.70%

Table: Winners with the highest vote share

Winners with Least Vote Share: 263 (49%) winners won with less than 50% of the total votes polled in their constituency. The top 3 winners who have attained the least vote share during the Lok Sabha Elections, 2024 are given below:

S.No.	State	Constituency	Total Valid Votes in The Constituency	Winner	Party	Votes Polled for Winner	% Vote share for Winner
1	Punjab	Firozpur	1125115	Sher Singh Ghubaya	Indian National Congress	266626	23.70%
2	Punjab	Patiala	1151743	Dr Dharamvira Gandhi	Indian National Congress	305616	26.54%
3	Punjab	Amritsar	905656	Gurjeet Singh Aujla	Indian National Congress	255181	28.18%

Details of NOTA



- The NOTA button instated by the ECI in 2013 gave the voters an options of rejecting all the candidates in their constituency. Out of 64,53,63,445 votes polled in Lok Sabha, 2024, **63,72,220 (0.99%)** were polled for NOTA. Out of 61,31,33,300 votes polled in Lok Sabha, 2019, **65,14,558 (1.06%)** were polled for NOTA. Out of 50,54,35,758 votes polled in Lok Sabha, 2014, **56,62,388 (1.12%)** were polled for NOTA.

Year	NOTA vote share %
2024	0.99%
2019	1.06%
2014	1.12%

- The top ten constituencies with highest votes polled for NOTA are as follows:

S. No	State	Constituency	Total Valid Votes in The Constituency	Votes Polled for Winner	% Vote share for Winner	NOTA Total Votes	% of NOTA Votes
1	Madhya Pradesh	Indore	1561968	1226751	79%	218674	14.00%
2	Andhra Pradesh	Araku	1164445	477005	41%	50470	4.33%
3	Odisha	Nabarangpur	1242475	481396	39%	43268	3.48%

S. No	State	Constituency	Total Valid Votes in The Constituency	Votes Polled for Winner	% Vote share for Winner	NOTA Total Votes	% of NOTA Votes
4	Bihar	Gopalganj	1063027	511866	48%	42863	4.03%
5	Jharkhand	Kodarma	1369964	791657	58%	42152	3.08%
6	Odisha	Koraput	1148842	471393	41%	37131	3.23%
7	Bihar	Hajipur	1155324	615718	53%	36927	3.20%
8	Chhattisgarh	Bastar	1007395	458398	46%	36758	3.65%
9	Bihar	Jhanjharpur	1093741	533032	49%	35928	3.28%
10	Gujarat	Dahod	1118294	688715	62%	34938	3.12%

Table: Top 10 Constituencies with highest votes polled for NOTA

State Wise votes polled for NOTA

State	Number of Constituencies	2024			2019			2014		
		Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA	Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA	Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA
Bihar	40	43448949	899616	2.07%	40811991	817139	2.00%	35885332	580964	1.62%
Dadra & Nagar Haveli and Daman & Diu	2	297998	6129	2.06%	286452	4437	1.55%	252519	4278	1.69%
Gujarat	25	29115599	460341	1.58%	29082446	400941	1.38%	25824003	454885	1.76%
Madhya Pradesh	29	37940251	533705	1.41%	36910610	340984	0.92%	29639807	391837	1.32%
Tripura	2	2344154	32915	1.40%	2153172	23174	1.08%	2023829	23783	1.18%
Odisha	21	25129026	325483	1.30%	23790972	310824	1.31%	21528883	332766	1.55%
Goa	2	906538	11165	1.23%	853203	12499	1.46%	817000	10103	1.24%
Puducherry	1	807940	9763	1.21%	790760	12199	1.54%	740017	22268	3.01%
Assam	14	20059870	240301	1.20%	17986066	178353	0.99%	15085883	147057	0.97%
Andhra Pradesh	25	33729342	402366	1.19%	31598569	469863	1.49%	-	-	-

State	Number of Constituencies	2024			2019			2014		
		Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA	Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA	Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA
Jharkhand	14	17241982	195472	1.13%	14962473	189367	1.27%	12982940	190927	1.47%
Uttarakhand	5	4836608	53103	1.10%	4842925	50946	1.05%	4391890	48043	1.09%
Tamil Nadu	39	43674048	467068	1.07%	42366721	541150	1.28%	40607149	581782	1.43%
Arunachal Pradesh	2	723247	7191	0.99%	652090	7464	1.14%	596956	6321	1.06%
Meghalaya	2	1711967	16848	0.98%	1367231	10874	0.80%	1078058	30145	2.80%
Chhattisgarh	11	15061348	136111	0.90%	13614553	196265	1.44%	12255579	224889	1.83%
Andaman & Nicobar Islands	1	202514	1809	0.89%	207296	1412	0.68%	190328	1564	0.82%
West Bengal	42	60483687	524954	0.87%	57206313	546778	0.96%	51631828	571294	1.11%
Rajasthan	25	33164877	279464	0.84%	32441064	327559	1.01%	27110642	327911	1.21%
Kerala	20	19980436	158456	0.79%	20385216	103596	0.51%	17975895	210563	1.17%
Maharashtra	48	57179133	415580	0.73%	54054245	488766	0.90%	48717419	433171	0.89%
Uttar Pradesh	80	87911642	636848	0.72%	86479389	725079	0.84%	81093120	592331	0.73%
Manipur	2	1593632	11022	0.69%	1617330	5389	0.33%	1412636	7504	0.53%
Jammu & Kashmir	5	5151193	34788	0.68%	3552622	21739	0.61%	3566863	31550	0.88%
Ladakh	1	135524	912	0.67%	-	-	-	-	-	-
Sikkim	1	384893	2527	0.66%	351746	2279	0.65%	308967	4332	1.40%
Chandigarh	1	449275	2912	0.65%	456568	4335	0.95%	453455	3106	0.68%

State	Number of Constituencies	2024			2019			2014		
		Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA	Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA	Total votes Polled	Total Votes Polled for NOTA	Percentage of Vote Share of NOTA
Himachal Pradesh	4	4069906	23125	0.57%	3850733	33008	0.86%	3098500	29155	0.94%
Karnataka	28	38793617	218343	0.56%	35138682	250810	0.71%	31038861	257881	0.83%
NCT OF Delhi	7	8938049	45287	0.51%	8679012	45654	0.53%	8271766	39690	0.48%
Punjab	13	13530923	67158	0.50%	13765432	154423	1.12%	13845132	58754	0.42%
Telangana	17	22008373	104244	0.47%	18642895	190798	1.02%	--	-	-
Mizoram	1	491336	1893	0.39%	499621	2509	0.50%	433201	6495	1.50%
Haryana	10	13055572	43542	0.33%	12681536	41781	0.33%	11495151	34220	0.30%
Lakshadweep	1	49200	133	0.27%	47009	100	0.21%	43239	123	0.28%
Nagaland	1	760796	1646	0.22%	1006357	2064	0.21%	1038910	2696	0.26%

Table: State wise Votes polled for NOTA

Preshant Bhusan

(TRUE COPY)



STATE ELECTION COMMISSION MAHARASHTRA

No. SEC 2018/NOTA/CR-10/Computerisation
New Administrative Building, 1st Floor,
Hutatma Rajguru Chowk, Madame Cama Road,
Mumbai 400 032.

Tel: 022-22023437 / 22026329

E-mail: sec.mh@gov.in

Website : www.mahasec.com

Date :-06/11/2018

Order

Whereas the superintendence, direction and control of conduct of elections to the Panchayats and the Municipalities in the State of Maharashtra are vested in the State Election Commission, Maharashtra in accordance with the provisions of Articles 243-K and 243-ZA of the Constitution of India.

2. And Whereas; following the judgement of the Hon'ble Supreme Court in the WP (Civil) no. 161/2004 in People's Union for Civil Liberties v/s Union of India dated 29/09/2013; the State Election Commission, Maharashtra **introduced NOTA (none of the above) option in the local body elections from November 2013** vide its order No.रानिआ-२०१३/प्र.क्र.११/का.१२, dated 12/11/2013, Clause 7 of which reads as follows,

‘निकाल जाहीर करताना None of the above वरीलपैकी एकही नाही या पर्यायासमोर नोंदविलेल्या मतांची संख्याविचारात न घेता ज्या उमेदवारास/ उमेदवारांना सर्वाधिक मते मिळाली असतील त्यांना विजयी उमेदवार म्हणून घोषित करण्यात यावे. म्हणजेच None of the above वरीलपैकी एकही नाही या पर्यायासमोर नोंदविलेल्या

मतांची संख्या सर्वाधिक मते मिळालेल्या उमेदवारांस मिळालेल्या मतांच्या संख्येपेक्षा जास्त असली तरी त्या उमेदवारास विजयी घोषित करण्यास प्रतिबंध राहणार नाही.'

3. And whereas, various political parties, research organisations, NGOs, thinkers etc have time and again brought to the notice of the State Election Commission since 2013 that, implementation of NOTA in the present format (as per clause 7 of the order dated 12.11.2013) has not given full effect to the above judgement of the Hon'ble Supreme Court dated 29.09.2013.

4. And Whereas, after getting the above feedback, State Election Commission has examined the following Judgement, Acts etc. in detail.

4.1 The above judgement of the Hon'ble Supreme Court in W.P. (Civil) 161 (2004) dated 29.09.2013.

4.2 All the Acts & Rules governing the elections to the local bodies in Maharashtra and

4.3 the principle that "a candidate who secures the highest number of valid votes polled should be declared as elected", and is followed in all the elections in India,

5. Hon'ble Supreme Court by its above judgement dated 29.09.2013 had wished that introduction of NOTA will improve the electoral process through—

- (a) increased voter participation,
- (b) compulsion on political parties to field good candidate; and
- (c) reflection of negative votes in election result.

5.1 Paragraphs 51, 52, 53, 54 & 55 of the above judgement are reproduced below for ready reference.

para 51 *'For democracy to survive, it is essential that the best available men should be chosen as people's representatives for proper governance of the country. This can be best achieved through men of high moral and ethical values, who win the elections on a positive vote.*

Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above (NOTA) button, which will indeed compel the political parties to nominate a sound candidate. This situation palpably tells us the dire need of negative voting'.

para 52 *No doubt, the right to vote is a statutory right but it is equally vital to recollect that this statutory right is the essence of democracy. Without this, democracy will fail to thrive. Therefore, even if the right to vote is statutory, the significance attached with the right is massive. Thus, it is necessary to keep in mind these facets while deciding then issue at hand.*

para 53 *'By providing NOTA button in the EVMs, it will accelerate the effective political participation in the present state of democratic system and the voters in fact will be empowered. We are of the considered view that in bringing out this right to cast negative vote at a time when electioneering is in full swing, it will foster the purity of the electoral process and also fulfil one of its objective, namely, wide participation of people'*

para 54 *Free and fair election is a basic structure of the Constitution and necessarily includes within its ambit the right of an elector to cast his vote without fear of reprisal, duress or coercion. Protection of elector's identity and affording secrecy is therefore integral to free and fair elections and an arbitrary distinction between the voter who casts his vote and the voter who does not cast his vote is violative of Article 14. Thus, secrecy is required to be maintained for both categories of persons.*

para 55 *'Such an option gives the voter the right to express his disapproval with the kind of candidates that are being put up by the political parties. When the political parties will realize that a large number of people are expressing their disapproval with the candidates being put up by them, gradually there will be a systemic change and the political parties will be forced to accept the will of the people and field candidates who are known for their integrity'.*

6. On examination of the above judgement, Acts etc. SECM finds that implementation of NOTA as per clause 7 of the Circular:

6.1 does not give effect to the judgement of the Hon'ble Supreme Court in W.P.161 (2004) dated 29.09.2013 since it -

- (i) has not led to increased voter participation,
- (ii) has not compelled Political Parties to field good candidates,
- (iii) does not reflect negative votes in election result and
- (iv) does not honour & respect the majority will / opinion of the people expressed through NOTA;

6.2 Violates the accepted principle by declaring a candidate as elected even though he/she has secured lesser votes than NOTA.

6.3 allows a candidate found unworthy by the majority voters to become their public representative;

6.4 Local Body Acts and Rules being silent on NOTA do not prohibit SEC from using plenary powers to fill this vacuous area. There is no provision of NOTA in any of the State Acts or rules made thereunder. They only provide that "the returning officer shall declare such candidate as elected who has secured largest number of votes".

7. And Whereas, after examining all the issues and facts, State Election Commission, Maharashtra feels that there is a strong case to - (i) consider NOTA as a "fictional electoral candidate", and (ii) amend the clause 7 of the order issued by it dated 12.11.2013 for giving effect to the judgement of Hon'ble Supreme Court in the true sense;

8. And Whereas, SECM has also examined the following orders of the Hon'ble Supreme Court :

8.1 Civil Appeal 3839 of 1982 Petitioner A. C. Jose v/s : Sivan Pillai & Others, dated 5/3/1984 where in Supreme Court has laid down rule about the plenary powers of the Election Commissions;

"To sum up, therefore, the legal and constitutional position is as follows:

- (a) When there is no Parliamentary legislation or rule made under the said legislation, the Commission is free to pass any orders in respect of the conduct of elections.*
- (b) where there is an Act and express Rules made thereunder it is not open to the Commission to override the Act or the Rules and pass orders in direct disobedience to the mandate contained in the Act or the Rules. In other words, the powers of the Commission are meant to supplement rather than supplant the law (both statute and Rules) in the matter of superintendence, direction and control as provided by Art. 324,*
- (c) where the Act or the Rules are silent, the Commission has no doubt plenary powers under Art. 324 to give any direction in respect of the conduct of election, and*
- (d) where a particular direction by the Commission is submitted to the government for approval, as required by the Rules, it is not open to the Commission to go ahead with implementation of it at its own sweet will even if the approval of the Government is not given."*

8.2 Civil Appeal 7178 of 2001 Union of India v/s ADR and others, dated 2nd May, 2002, wherein Apex Court while clearly laying down *ratio decidendi* about the source and ambit of the power of the Election Commission, has observed that,

'It is settled that the power of the Commission is plenary in character in exercise thereof. In a statutory provisions or rules, it is known that every contingency could not be foreseen or anticipated with

precision, therefore, Commission can cope with situation where the field is unoccupied by issuing necessary orders...'

'One has also to remember that the source of power in this case is the Constitution, the highest law of the land, which is the repository and source of all legal powers and any power granted by the Constitution for a specific purpose should be construed liberally so that the object for which the power is granted is effectively achieved.'

'Thereafter, the Court observed that under Article 324, the Commission can issue suitable directions to maintain the purity of election and in particular to bring transparency in the process of election.'

'The jurisdiction of the Election Commission is wide enough to include all powers necessary for smooth conduct of elections and the word 'elections' is used in a wide sense to include the entire process of election which consists of several stages and embraces many steps.'

'By issuing necessary directions, Commission can fill the vacuum till there is legislation on the subject.'

'The word "elections" includes the entire process of election which consists of several stages and it embraces many steps, some of which may have an important bearing on the process of choosing a candidate.'

8.3 Appeal (Civil) 5756 of 2005 Petitioner Kishansing Tomar v/s Municipal Corporation of the City of Ahmadabad & Ors, dated 19/10/2006, wherein Supreme Court has observed that the State Election Commission has the same powers (including inherent plenary powers) like that of Election Commission of India in the domain of local body elections. It lays down that, *'In terms of Article 243K & 243ZA (1) the same powers are vested in the State Election Commission as the Election Commission of India*

under Article 324. The words in the former provisions are in pari materia with the latter provisions'.

8.4 Writ Petition (Civil) no. 784/2015 filed by Lok Prahari through its General Secretary S.N.Shukla v/s Union of India & Others, dated 16/02/2018, wherein Hon'ble Supreme Court has expressed deep concern about the undue accretion of assets by legislators in following words:

Para-22 *'...Various bodies such as the Law Commission of India and a Committee popularly known as the Vohra Committee constituted by the Government of India etc. pointed out various shortcomings in the working of the democracy and the need to address those concerns.'*

Para-30 ***'UNDUE ACCRETION OF ASSETS of LEGISLATORS and their ASSOCIATES is certainly a matter which should alarm the citizens and voters of any truly democratic society. Such phenomenon is a sure indicator of the beginning of a failing democracy. If left unattended it would inevitably lead to the destruction of democracy and pave the way for the rule of mafia. Democracies with higher levels of energy have already taken note of the problem and addressed it. Unfortunately, in our country, neither the Parliament nor the Election Commission of India paid any attention to the problem so far.'***

Para 31. *'The increasing role of money power in elections is too well known and is one of the maladies which sometimes reduces the process of election into a mere farce by placing some privileged candidates with financial resources in a distinctly advantageous position as compared to other candidates. The result of such an election cannot reflect the true choice of the people. The system also sometimes deprives qualified and able persons of the prerogative to represent masses.'*

The Apex Court in this judgement has **expressed displeasure against the Parliament and Election Commission** for not paying attention to such problems. Thus there is a need to pay attention to all such

issues (including utility of NOTA) without any further delay so as to make elections pure, free, fair and transparent.

9. And Whereas, various political parties during the workshop on the subject of "Role of Political Parties towards Healthier Democracy" conducted by State Election Commission, Maharashtra (SECM) on 7th May 2018, expressed the opinion that NOTA should be treated as 'Fictional Electoral Candidate' and reelection should be held whenever NOTA gets highest votes as compared to other contesting candidates;

10. And Whereas, in view of above, State Election Commission has come to the conclusion that -

(i) implementation of NOTA in terms of circular issued by SECM on 12.11.2013 does not give effect to the judgement of Hon'ble Supreme Court dated 29.09.2013 fully in letter and spirit.

(ii) there is no provision in the local body Acts / Rules regarding NOTA and/or how to treat the votes polled by NOTA while declaring the results. Thus, there is a vacuous area.

(iii) SEC has the requisite authority to fill the above vacuous area by treating the NOTA as 'Fictitious Electoral Candidate' and amend the clause 7 of its circular dated 12.11.2013 in order to implement the judgement of Hon'ble Supreme Court in its true sense.

11. Now therefore, in exercise of the powers conferred by Articles 243-K and 243-ZA of the Constitution of India, read with provisions of sub-section (4) of section 18A of the Mumbai Municipal Corporation Act (Bom. III of 1888), sub - section (4) of section 14 of the Maharashtra Municipal Corporation Act, 1949, (Bom. LIX of 1949), sub-section (4) of section 10A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act 1965; sub-section 4 of section 10A of the Maharashtra Village Panchayats Act 1958 (Bom. III of 1959), sub-section (4) of section 9A of the Maharashtra Zilla Parishads and Panchayat Samitis Act 1961 (Mah.

V of 1962) and of all other enabling powers of the State Election Commission in this behalf, clause - 7 of the Order dated 12/3/2013 passed by State Election Commission is hereby amended with immediate effect as below:

Order

12.1 (i) NOTA is to be treated as a **'Fictional Electoral Candidate'** while declaring the election results,

(ii) If in any election, all the contesting candidates individually receive lesser votes than the 'Fictional Electoral Candidate' i.e. NOTA, then none of the contesting candidate will be declared as elected and fresh election shall be held for that post.

(iii) In case, a contesting candidate and the 'Fictional Electoral Candidate' i.e. NOTA receive equal valid votes; then the contesting candidate (not NOTA) shall be declared as elected.

(v) Fresh election will start from nomination stage itself

(vi) However, if in reelection, NOTA again gets highest votes, then reelection will not be taken for second time and contesting candidate with highest votes (excluding NOTA) shall be declared as elected.

12.2 The following procedure shall be followed in such circumstances,

(i) If a returning officer, upon completion of counting but before declaration of result, finds that NOTA has received higher valid votes than all other contesting candidates individually; then he (i.e. returning officer) shall not declare the result for that particular seat/s and shall immediately send his Report to State Election Commission (in prescribed format).

(ii) Upon receipt of such report, the State Election Commission shall after satisfaction, declare the fresh election programme for the said seat/s.

12.3 These orders shall be applicable to the general and bye-elections to all the Urban Local bodies (Municipal Corporations, Municipal Councils, Nagar Panchayats) in Maharashtra with immediate effect.

By order of State Election Commissioner,



(Shekhar Channe)
Secretary

State Election Commission, Maharashtra.

"While declaring the result, the number of votes recorded against the option 'None of the Above' shall not be taken into consideration. The candidate or candidates who have received the highest number of votes shall be declared as the winning candidate(s). That is, even if the number of votes recorded against the option 'None of the Above' is higher than the number of votes received by the candidate with the highest votes, there shall be no restriction in declaring that candidate as the winner."

Preshant Bhusan
(TRUE COPY)

Most Immediate/Date Bound
Municipal Election

No. 20/1/2014-2-Pol.
HARYANA GOVERNMENT
CHIEF SECRETARY'S OFFICE
POLITICAL & PARLIAMENTARY AFFAIRS DEPARTMENT
Dated Chandigarh the 28th November, 2018.

To

1. All the Additional Chief Secretaries to Government, Haryana.
2. All the Principal Secretaries to Government, Haryana.
3. All the Heads of Departments to Government, Haryana.
4. All the MDs/CAs of Boards/Corporations in Haryana.
5. All Divisional Commissioners, Haryana.
6. All Deputy Commissioners, Haryana

Subject:- Ban on Posting/Transfer of Officers/Officials who are engaged in the Municipal Elections in the State of Haryana.

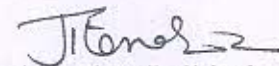
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Sir/Madam,

I am directed to refer to the subject noted above and to say that State Election Commission, Haryana has issued notification No. SEC/1ME/2018/5881 and No. SEC/1ME/2018/5908, dated 22.11.2018, **which is uploaded on website of csharyana.gov.in under Political and Parliamentary Affairs Department section.**

2 You are requested that the officers/officials connected with the work of these Elections should not be transferred till the declaration of election results. However, in case, where it is considered necessary to transfer an officer/official connected with the above said Elections, prior approval of the State Election Commission be obtained.

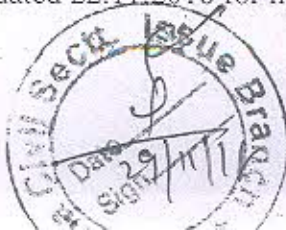
Yours faithfully

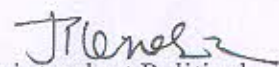

Superintendent Political
for Chief Secretary to Government, Haryana

Endst. No. 20/1/2014-2-Pol.

Dated Chandigarh, the 28th November, 2018

A copy is forwarded to the State Election Commissioner, Haryana, Nirvachan Sadan Plot No. 2, Sector 17, Panchkula with reference to his letter No. SEC/1ME/2018/6149 dated 22.11.2018 for information.




Superintendent Political
for Chief Secretary to Government, Haryana

Most Immediate/Date Bound
Municipal Election

STATE ELECTION COMMISSION, HARYANA,
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17
PANCHKULA

No.SEC/1ME/2018/6149

Dated: 22.11.2018

To

The Chief Secretary to Government, Haryana,
(In political branch),
Chandigarh.

Subject: Ban on Posting/Transfer of Officers/Officials who are engaged in
the Municipal Elections in the State of Haryana.

Sir,

I am directed to refer to the subject cited above and to say that the State Election Commission, Haryana has issued the notifications for the conduct of the General Elections of the seats of Mayor and Members of all the wards of Municipal Corporation, Hisar, Rohtak, Yamuna Nagar, Panipat & Karnal and of Municipal Committee, Jakhal Mandi (Fatehabad) & Pundri (Kaithal) vide Notification No. SEC/1ME/2018/5881 and SEC/1ME/2018/5908 dated 22.11.2018 (copies enclosed), respectively. As per schedule, the nomination papers shall be presented from 01.12.2018 to 06.12.2018 and poll shall be held on 16.12.2018. Re-poll if any required, shall be held on 18.12.2018 and counting of votes shall be held on 19.12.2018 at 8.00 A.M. at the place(s) specified by the Deputy Commissioner concerned and result shall be declared immediately after the completion of counting.

2. I am, therefore, directed to request you that officers/officials of the State Government deputed to conduct the elections of Municipal Corporation, Hisar, Rohtak, Yamuna Nagar, Panipat & Karnal and of Municipal Committee, Jakhal Mandi (Fatehabad), & Pundri (Kaithal) should not be transferred till the declaration of election results. However, in case, where it is considered necessary to transfer an officer/official connected with the above said Municipal Elections, prior approval of this Commission be obtained. Necessary instructions in this regard may kindly be issued to all the Departments, Boards, Corporations etc. of the State Government under intimation to the State Election Commission, Haryana.

Encl:-As above.

Yours faithfully,

Parmal Singh
(Parmal Singh)

Assistant State Election Commissioner, Haryana



26-11-18

*Political
US Elections*

26/11/18

26/11

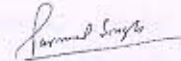
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No.SEC/1ME/2018/6150-6161

Dated: 22.11.2018

A copy is forwarded to the following for information and immediate compliance of above orders:-

1. Principal Secretary to Government Haryana, Urban Local Bodies Department, Haryana, Chandigarh.
1. Director General of Police, Haryana, Panchkula.
2. Director, Urban Local Bodies Department, Haryana, Panchkula.
3. Deputy Commissioner, Hisar, Rohtak, Yamuna Nagar, Panipat, Karnal, Fatehabad and Kaithal
4. Director, Information, Public Relations and cultural affairs Department, Haryana, Chandigarh.
5. Controller, Printing and Stationery Department, Haryana, Chandigarh for publication in the Haryana Government Gazette.



(Parmal Singh)

Assistant State Election Commissioner, Haryana

STATE ELECTION COMMISSION, HARYANA,
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17,
PANCHKULA

NOTIFICATION

Dated: 22.11.2018

No. SEC/1ME/2018/5881: In exercise of power vested under clause (1) of the Article 243 ZA of the Constitution of India, Section 9 of the Haryana Municipal Corporation Act, 1994 and Rule 21(1) of the Haryana Municipal Corporation Elections Rules, 1994 and all other powers enabling it in this behalf, State Election Commission, Haryana, hereby prescribes the following election programme for the conduct of the General Elections of the seats of Mayor and Members of all the wards of Municipal Corporation, Hisar, Rohtak, Yamuna Nagar, Panipat and Karnal:-

(1)	Date on which notice shall be published by the Returning Officer for inviting nominations under Rule 22.	24.11.2018 (Saturday)
(2)	Dates on which Nomination papers shall be presented and posted under Rule 21(2)(i) & (ii).	01.12.2018 (Saturday) to 06.12.2018 (Thursday) 11.00 A.M. to 03.00 P.M. (Except 02.12.2018)
(3)	Date on which the nomination papers shall be scrutinized under Rule 21(2)(iii).	07.12.2018 (Friday) 11.30 A.M. onwards
(4)	Last date for withdrawal of candidature under Rule 21(2)(vi).	08.12.2018 (Saturday) Between 11.00 A.M and 3.00 P.M.
(5)	Date on which symbols shall be allotted to the contesting candidates.	08.12.2018 (Saturday) after 3.00 PM
(6)	Date on which the list of contesting candidates shall be posted under Rule 21(2)(vii).	08.12.2018 (Saturday)
(7)	Date on which list of polling stations shall be posted under Rule 21(2)(viii).	08.12.2018 (Saturday)
(8)	Date on which poll shall be held under Rule 21(2)(ix).	16.12.2018 (Sunday)
(9)	Re-poll, if any.	18.12.2018 (Tuesday)
(10)	Timing of the poll.	Between 7.30 A.M. and 4.30 P.M.
(11)	Date, time and place on which the votes polled shall be counted.	On 19.12.2018 at 8.00 A.M. at the place(s) specified by the Deputy Commissioner concerned.
(12)	Date on which the election result shall be declared.	Immediately after the completion of counting.

2. The State Election Commission, Haryana in exercise of powers vested under Rule 21(3) & (4) of the Haryana Municipal Corporation Election Rules, 1994, authorize the Deputy Commissioner, Hisar, Rohtak, Yamuna Nagar, Panipat and Karnal to designate a Returning Officer and Assistant Returning Officer who shall be the officers of the Government for the conduct of the General Elections of the seat of Mayor and Members

of all the wards of Municipal Corporation, Hisar, Rohtak, Yamuna Nagar, Panipat and Karnal.

3. The concerned Returning Officer shall publish a notice of the above election programme on 24.11.2018 at his office, office of the Deputy Commissioner and Municipal Corporation and at such other conspicuous places in the area of the Municipal Corporation, as determined by him in this behalf under Rule 22 of the Haryana Municipal Corporation Election Rules, 1994. No nomination shall be filed on 02.12.2018 being public holiday. The information about the nomination papers must be hosted in the website of the concerned Corporation at least by 4.00 P.M. every day, during nomination period.

4. The Commission further directs that after the withdrawal of candidature a list of validly nominated candidates shall be prepared by the Returning Officer under Rule 29 of the Haryana Municipal Corporation Elections Rules, 1994, in Hindi and English. A list of every stage i.e. nomination received, nomination rejected, nomination withdrawal and contesting candidates etc. with every detail shall be published and posted at some conspicuous places and in the office of the Returning Officer or at the Municipal Corporation office.

5. The Commission under Section 23A of the Haryana Municipal Corporation Act, 1994 read with Rule 50 of the Haryana Municipal Corporation Election Rules, 1994, hereby specifies that the voting shall be casted by and recording of votes by voting machines [Electronic Voting Machines (EVMs)] in the General elections of the seat of Mayor and Members of all the wards of Municipal Corporation, Hisar, Rohtak, Yamuna Nagar, Panipat and Karnal.

6. The Commission further directs to implement the option "None of above (NOTA)" on EVMs/Ballot papers in these Elections. The directions in this respect given in Commission's order issued under Endst. No. SEC/1ME/2016/3653-3659 dated 14th December, 2016 and further modification No. SEC/1ME/2018/5833-5880 dated 22.11.2018 be followed meticulously. However, the salient features of the NOTA are as under:

- (i) NOTA shall be treated as a 'Fictional Electoral Candidate' while declaring the election results.
- (ii) In case, a contesting candidate and the 'Fictional Electoral Candidate' i.e. NOTA securing highest and equal number of valid votes; then the contesting candidate (not NOTA) shall be declared as elected.
- (iii) If in any election, all the contesting candidates individually receive lesser votes than the 'Fictional Electoral Candidate' i.e. NOTA, then none of the contesting candidates will be declared as elected.
- (iv) In case of situation arising under sub-section (iii) above, fresh election shall be held for that seat. Further all such contesting candidates who secured less votes than NOTA shall not be eligible to re-file the nomination/contest the re-election for which they were declared ineligible.

- (v) However, if in re-election, NOTA again gets highest votes, then re-election will not be taken for second time and contesting candidate with highest votes (excluding NOTA) shall be declared as elected.

The following procedure shall be followed in such circumstances,

- i) If a Returning Officer, upon completion of counting of votes but before declaration of result, finds that NOTA has received higher valid votes than all other contesting candidates individually; then he (i.e. Returning Officer) shall not declare the result for that particular seat/s and shall immediately send his report to State Election Commission.
- ii) Upon receipt of such report, the State Election Commission shall after satisfaction, declare the fresh election programme for the said seat/s.

7. The Commission further directs to print photographs of the contesting candidates on the ballot papers alongwith other particulars to be displayed on the balloting unit of EVMs and in the tender ballot papers in addition to the existing particulars. The photograph of the candidate shall be printed in the panel for the name of the candidate and appear on the right side of the name in between the name and symbol of the candidate. The size of the photograph to be printed on the ballot paper shall be 2 cm x 2.5 cm (2 cm in breadth and 2.5 cm in height). The ballot paper for Mayor shall be of Pink colour and for member it shall be of white colour.

8. It is further directed that all voters of the respective area who have been issued the Electoral Photo Identity Cards for Assembly and Lok-Sabha Elections and whose Electoral Photo Identity Card Numbers have been mentioned in case of the Municipal Voters list also, shall have to produce these cards to exercise their franchise when coming to the polling stations for voting, the polling for which is scheduled to take place on 16.12.2018. If any elector has not been issued Electoral Photo Identity Cards by the Election Commission of India, he/she will have to produce any one out of the following documentary evidence to establish his/her identity:--

i)	Driving License,
ii)	Income Tax Identity (PAN) Card,
iii)	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
iv)	Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
v)	Freedom Fighter Identity Card having photograph,
vi)	SC/ST/OBC certificate having photograph, issued by competent authority,
vii)	Certificate of Physical Handicap having photograph issued by the Competent Authority,
viii)	Arms License having photograph,
ix)	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
x)	Property documents with photographs such as Pattas, Registered Deeds etc,
xi)	Pension Documents such as Ex-Servicemen Pension Book/Pension

	Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
xii)	Health Insurance Scheme Smart Cards with Photograph,
xiii)	Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.
xiv)	Aadhar Card issued by UIDAI
xv)	Passport

In case of an odd elector, who does not possess any of the above cards, he would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

9. It is further directed to make the following security arrangements for the conduct of free, fair and peaceful elections:-

- i. Adequate police personnel shall be deployed at the polling stations, counting centers for security and maintenance of law and order to ensure peaceful, smooth and fair election.
- ii. Daily law and order report shall be sent to the State Election Commission till the election process is complete.
- iii. A copy of the plan for deployment of Executive Magistrates and police personnel be also sent to this Commission well in time.
- iv. Provide security to the contesting candidates, if they desire so.
- v. It shall be ensured that no untoward incident takes place during elections.

10. In order to curb undesirable and illegal activities, the Commission hereby imposes restriction to hire or procure not more than 05 vehicles or vessels by the candidate contesting for the post of Mayor and 02 by the contesting candidate for contesting of Member Municipal Corporation whether on payment or otherwise, for use by himself or his agents or supporters on the day of poll during the Election. It is also stated that :-

- i. The expression "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise, and whether used for drawing other vehicle or otherwise.
- ii. The contesting candidates shall be issued permits as per proforma prescribed by the Commission appended herewith. The permits shall be issued to the contesting candidates at least 2 days before the day of poll.
- iii. The District Administration shall keep a close watch on the vehicles used by persons accompanying the contesting candidates and their supporters to prevent possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a contesting candidate or a private owner, is found to be involved in any such act or for carrying anti-social elements with a view to intimidating or creating terror in the minds of the voters, it shall be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action against the owner, the

creating terror in the minds of the voters, it shall be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.

- iv. The District Administration shall launch a drive for checking the vehicles immediately upon the announcement of the elections and shall continue the drive till the completion of the process of elections.
- v. All recognized National/State Political Parties in the State of Haryana immediately and to each contesting candidates, or an agent authorized by him be intimated in this respect.
- vi. Permit in this respect shall be issued in the Proforma given here as under:-

PROFORMA

MUNICIPAL ELECTIONS, 2018

Permit No. _____
 Municipal Committee _____
 Name of Candidate _____
 Ward No. _____ Vehicle Number _____

Returning Officer
 Seal

11. The Commission further directs that if any re-poll is required, the same shall be conducted on 18.12.2018 and counting of votes be held on 19.12.2018 at 8.00 A.M. at the place(s) specified by the Deputy Commissioner concerned. The details (Accounts) of votes polled at each polling station shall be prepared in Part-II of Form 18 by the Presiding Officer and forwarded to the concerned Returning Officer for consolidation of counting votes on Form 8 mentioning therein the total number of valid votes polled in favour of each candidates on each polling station and declare the candidate, who is found to have obtained the largest number of votes, as elected member from the ward.
12. The Commission further directs that after the declaration of result of election under Rule 62, the Returning Officer shall forthwith post a copy of return (i.e. Form 8- Consolidation of account of the counted ballot papers) at a conspicuous place in his office and send a copy thereof to the Deputy Commissioner, who shall forward immediately but not later than three days, the names of the candidates elected to the State Election Commission, Haryana for notifying the same in official gazette. The Deputy Commissioner shall ensure that the names and other particulars of the elected candidates should be the same as are recorded in the nomination paper.
13. The Commission further directs that the information pertaining to the criminal antecedents of the contesting candidates obtained in the prescribed forms alongwith nomination paper be hosted on the official website of district administration and the

-8-

same shall remain hosted on the website till the completion of next general election of that municipal institution. The directions in this respect given in Commission's letter No. SEC/1ME/2017/1117-38 dated 2nd June, 2017 be followed meticulously.

14. The Commission further directs that election expenditure limit to be incurred by the contesting candidate or his authorized election agent(s) in connection with the election of Municipal Committee is Rs.2,00,000/- (Revised from Rs. 75,000/- to 2,00,000/- vide Notification No. SEC/3ME/2017/912 dated 18.05.2017). This fact be brought into the notice of all the contesting candidates.

15. The Commission further directs that all contesting candidates are required to maintain account of election expenditure and submit the same within 30 days from the date of declaration of the result of the election to the Deputy Commissioner or an officer authorized by the State Election Commission, failing which the defaulting candidate shall be liable to be disqualified under Section 13F of the Haryana Municipal Act, 1973 and Haryana Municipal Election Expenditure (Maintenance and submission of accounts) Order, 2017, for a period of five years from the date of issue of such order. The Deputy Commissioner or an officer authorized by the State Election Commission shall check account of election expenses and send a list of contesting candidates who have filed and not filed the election expenditure statement, to the Commission within a period of 7 days from the completion of prescribed time limit of 30 days.

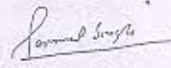
Dr. Dalip Singh
State Election Commissioner, Haryana

Endst. No. SEC/1ME/2018/5909-5922

Dated: 22.11.2018

A copy of above is forwarded to the following for information and immediate compliance of above orders:-

1. Chief Secretary to Government of Haryana, Chandigarh.
2. Additional Chief Secretary to Govt. of Haryana, Home Department, Chandigarh.
3. Principal Secretary to Govt. of Haryana, Urban Local Bodies Department, Chandigarh.
4. Principal Secretary to Govt. of Haryana, Printing and Stationery, Haryana, Chandigarh.
5. Divisional Commissioner, Hisar and Karnal.
6. Director General of Police, Haryana, Panchkula.
7. Director, Urban Local Bodies, Haryana, Chandigarh.
8. Director, Public Relation, Haryana, Chandigarh.
9. Deputy Commissioner, Fatehabad and Kaithal.
10. Superintendent of Police, Fatehabad and Kaithal.
11. A copy alongwith is forwarded to the Controller, Printing & Stationery Department, Haryana for publication in the Haryana Government Gazette. He is requested to supply 10 copies of the notification to this Commission for information and record.



(Parmal Singh)
Asstt. State Election Commissioner, Haryana

STATE ELECTION COMMISSION, HARYANA,
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17
PANCHKULA

NOTIFICATION

Dated: 22.11.2018

No. SEC/1ME/2018/5908: In exercise of power vested under clause (1) of the Article 243 ZA of the Constitution of India, Section 3A of the Haryana Municipal Act, 1973 and rule 19 (1) the Haryana Municipal Elections Rules, 1978 and all other powers enabling it in this behalf, State Election Commission, Haryana, hereby prescribes the following election programme for the conduct of the General Elections of all the wards of Municipal Committee, Jakhal Mandi (Fatehabad) and Pundri (Kaithal):-

(1)	Date on which notice shall be published by the Returning Officer for inviting nominations under Rule 20.	24.11.2018 (Saturday)
(2)	Dates on which Nomination papers shall be presented and posted under Rule 19(2)(i)&(ii).	01.12.2018 (Saturday) to 06.12.2018 (Thursday) 11.00 A.M. to 03.00 P.M. (Except 02.12.2018)
(3)	Date on which the nomination papers shall be scrutinized under Rule 19(2)(iii)	07.12.2018 (Friday) 11.30 A.M. onwards
(4)	Last date for withdrawal of candidature under Rule 19(2)(vi).	08.12.2018 (Saturday) Between 11.00 A.M and 3.00 P.M.
(5)	Date on which symbols shall be allotted to the contesting candidates.	08.12.2018 (Saturday) after 3.00 PM
(6)	Date on which the list of contesting candidates shall be posted under Rule 19(2)(vii).	08.12.2018 (Saturday)
(7)	Date on which list of polling stations shall be posted under Rule 19(2)(viii).	08.12.2018 (Saturday)
(8)	Date on which the poll shall be held under Rule 19(2)(ix).	16.12.2018 (Sunday)
(9)	Re-poll, if any	18.12.2018 (Tuesday)
(10)	Timing of the poll	Between 7.30 A.M. and 4.30 P.M.
(11)	Date, time and place on which the votes polled shall be counted.	On 19.12.2018 at 8.00 A.M at the place(s) specified by the Deputy Commissioner concerned.
(12)	Date on which the election result would be declared.	Immediately after the completion of counting.

2. The State Election Commission, Haryana in exercise of powers vested under Rule 19 (3) & (4) of the Haryana Municipal Election Rules, 1978, authorize the concerned Deputy Commissioner, Fatehabad and Kaithal to designate a Returning Officer and Assistant Returning Officer who shall be the officers of the Government

for the conduct of the General Elections of the Municipal Committee, Jakhal Mandi (Fatehabad) and Pundri (Kaithal).

3. The Returning Officers shall publish a notice of the above election programme on **24.11.2018** at their office, office of the Deputy Commissioner and concerned municipality and at such other conspicuous places in the area of the municipality in which the elections are to be held, as determined by him in this behalf under Rule 20 of the Haryana Municipal Election Rules, 1978. No nomination shall be filed on **02.12.2018** being public holiday. The information about the nomination papers must be hosted in the website of the municipality concerned at least by 4.00 P.M. every day, during nomination period.

4. The Commission further directs that after the withdrawal of candidature a list of validly nominated candidates shall be prepared by the Returning Officer under rule 28 of the Haryana Municipal Elections Rules, 1978, in Hindi and English. A list of every stage i.e. nomination received, nomination rejected, nomination withdrawal and contesting candidates etc. with every detail shall be published and posted at some conspicuous places and in the office of the concerned Returning Officer or at the concerned municipality office.

5. The Commission under Section 275 (1A) of the Haryana Municipal Act, 1973 read with Rule 49 of the Haryana Municipal Election Rules, 1978, hereby specifies that the voting shall be casted by and recording of votes by voting machines [Electronic Voting Machines (EVMs)] in the General Elections of the municipality concerned.

6. The Commission further directs to implement the option "None of above (NOTA)" on EVMs/Ballot papers" in these Elections. The directions in this respect given in Commission's order issued under Endst. No. SEC/1ME/2016/3653-3659 dated 14th December, 2016 and further modification No.SEC/1ME/2018/5833-5880 dated 22.11.2018 be followed meticulously. However, the salient features of the NOTA are as under:

- (i) NOTA shall be treated as a 'Fictional Electoral Candidate' while declaring the election results.
- (ii) In case, a contesting candidate and the "Fictional Electoral Candidate" i.e. NOTA securing highest and equal number of valid votes; then the contesting candidate (not NOTA) shall be declared as elected.
- (iii) If in any election, all the contesting candidates individually receive lesser votes than the 'Fictional Electoral Candidate' i.e. NOTA, then none of the contesting candidates will be declared as elected.
- (iv) In case of situation arising under sub-section (iii) above, fresh election shall be held for that seat. Further all such contesting candidates who secured less votes than NOTA shall not be eligible to re-file the nomination/contest the re-election for which they were declared ineligible.

- (v) However, if in re-election, NOTA again gets highest votes, then re-election will not be taken for second time and contesting candidate with highest votes (excluding NOTA) shall be declared as elected.

The following procedure shall be followed in such circumstances,

- i) If a Returning Officer, upon completion of counting of votes but before declaration of result, finds that NOTA has received higher valid votes than all other contesting candidates individually; then he (i.e. Returning Officer) shall not declare the result for that particular seat/s and shall immediately send his report to State Election Commission.
- ii) Upon receipt of such report, the State Election Commission shall after satisfaction, declare the fresh election programme for the said seat/s.

7. The Commission further directs to print the photographs of the contesting candidates on the ballot papers alongwith other particulars to be displayed on the balloting unit of EVMs and in the tender ballot papers in addition to the existing particulars. The photograph of the candidate shall be printed in the panel for the name of the candidate and appear on the right side of the name in between the name and symbol of the candidate. The size of the photograph to be printed on the ballot paper shall be 2 cm x 2.5 cm (2 cm in breadth and 2.5 cm in height).

8. It is further directed that all voters of the respective area who have been issued the Electoral Photo Identity Cards for Assembly and Lok Sabha Elections and whose Electoral Photo Identity Card numbers have been mentioned in case of the Municipal Voters list also, shall have to produce these cards to exercise their franchise when they coming to the polling stations for voting, the polling for which is scheduled to take place **16.12.2018**. If any elector has not been issued Electoral Photo Identity Cards by the Election Commission of India, he/she will have to produce any one out of the following documentary evidence to establish his/her identity:--

i)	Driving License,
ii)	Income Tax Identity (PAN) Card,
iii)	Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
iv)	Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
v)	Freedom Fighter Identity Card having photograph,
vi)	SC/ST/OBC certificate having photograph, issued by competent authority,
vii)	Certificate of Physical Handicap having photograph issued by the Competent Authority,
viii)	Arms License having photograph,
ix)	Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
x)	Property documents with photographs such as Pattas, Registered Deeds etc,
xi)	Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old

	Age Pension Order, Widow Pension Order, with photograph,
xii)	Health Insurance Scheme Smart Cards with Photograph,
xiii)	Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.
xiv)	Aadhar Card issued by UIDAI
xv)	Passport

In case of an odd elector, who does not possess any of the above cards, he/she would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

9. It is further directed to make the following security arrangements for the conduct of free, fair and peaceful elections:-

- i. Adequate police personnel shall be deployed at the polling stations, counting centers for security and maintenance of law and order to ensure peaceful, smooth and fair election.
- ii. Daily law and order report shall be sent to the State Election Commission till the election process is complete.
- iii. A copy of the plan for deployment of Executive Magistrates and police personnel be also sent to this Commission well in time.
- iv. Provide security to the contesting candidates, if they desire so.
- v. It shall be ensured that no untoward incident takes place during elections.

10. In order to curb undesirable and illegal activities, the Commission hereby imposes restriction to hire or procure not more than 02 vehicles or vessels whether on payment or otherwise, for use by a contesting candidate himself or his agents or his supporters on the day of poll during the Municipal Election. It is also stated that :-

- i. The expression "Vehicle" means any vehicle used or capable of being used for the purpose of road transport whether propelled by mechanical power or otherwise, and whether used for drawing other vehicle or otherwise.
- ii. The contesting candidates shall be issued permits as per proforma prescribed by the Commission appended herewith. The permits shall be issued to the contesting candidates at least 2 days before the day of poll.
- iii. The District Administration shall keep a close watch on the vehicles, used by persons accompanying the contesting candidates and their supporters to prevent possible mischief, including criminal activities like carrying of illegal arms and weapons. If any of these vehicles, either of a contesting candidate or a private owner, is found to be involved in any such act or for carting anti-social elements with a view to intimidating or creating terror in the minds of the voters, it shall be the duty of the local administration to impound such vehicles and not to release them till the process of elections is completed. In addition, accordingly action

against the owner, the occupant/occupants and the candidate who is involved in such illegal activities shall also be taken as per law.

- iv. The District Administration shall launch a drive for checking the vehicles immediately upon the announcement of the elections and shall continue the drive till the completion of the process of elections.
- v. All recognized National/State Political Parties in the State of Haryana immediately and to each contesting candidates, or an agent authorized by him be intimated in this respect.
- vi. Permit in this respect shall be issued in the Proforma given here as under:-

PROFORMA

MUNICIPAL ELECTIONS, 2018

Permit No. _____
 Municipal Committee _____
 Name of Candidate _____
 Ward No. _____ Vehicle Number _____

Returning Officer
 Seal

11. The Commission further directs that if any re-poll is required, the same shall be conducted on **18.12.2018** and counting of votes be held on **19.12.2018** at **8.00 A.M.** at the place(s) specified by the Deputy Commissioner concerned. The details (Accounts) of votes polled at each polling station shall be prepared in Part-II of Form 18 by the Presiding Officer and forwarded to the concerned Returning Officer for consolidation of counting votes on Form 8 mentioning therein the total number of valid votes polled in favour of each candidates on each polling station and declare the candidate, who is found to have obtained the largest number of votes, as elected member from the ward.

12. The Commission further directs that after the declaration of result of election under Rule 62, the Returning Officer shall forthwith post a copy of return (i.e. Form 8- Consolidation of account of the counted ballot papers) at a conspicuous place in his office and send a copy thereof to the Deputy Commissioner, who shall forward immediately but not later than three days, the names of the candidates elected to the State Election Commission, Haryana for notifying the same in official gazette. The Deputy Commissioner shall ensure that the names and other particulars of the elected candidates should be the same as are recorded in the nomination paper.

13. The Commission further directs that the information pertaining to the criminal antecedents of the contesting candidates obtained in the prescribed forms alongwith nomination paper be hosted on the officials website of district administration and the same shall remain hosted on the website till the completion of next general election of

that municipal institution. The directions in this respect given in Commission's letter No. SEC/1ME/2017/1117-38 dated 2nd June, 2017 be followed meticulously.

14. The Commission further directs that election expenditure limit to be incurred by the contesting candidate or his authorized election agent(s) in connection with the election of Municipal Committee is Rs.2,00,000/- (Revised from Rs. 75,000/- to 2,00,000/- vide Notification No. SEC/3ME/2017/912 dated 18.05.2017). This fact be brought into the notice of all the contesting candidates.

15. The Commission further directs that all contesting candidates are required to maintain account of election expenditure and submit the same within 30 days from the date of declaration of the result of the election to the Deputy Commissioner or an officer authorized by the State Election Commission, failing which the defaulting candidate shall be liable to be disqualified under Section 13F of the Haryana Municipal Act, 1973 and Haryana Municipal Election Expenditure (Maintenance and submission of accounts) Order, 2017, for a period of five years from the date of issue of such order. The Deputy Commissioner or an officer authorized by the State Election Commission shall check account of election expenses and send a list of contesting candidates who have filed and not filed the election expenditure statement, to the Commission within a period of 7 days from the completion of prescribed time limit of 30 days.

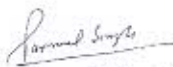
Dr. Dalip Singh
State Election Commissioner, Haryana

Endst. No. SEC/1ME/2018/5909-5922

Dated: 22.11.2018

A copy of above is forwarded to the following for information and immediate compliance of above orders:-

1. Chief Secretary to Government of Haryana, Chandigarh.
2. Additional Chief Secretary to Govt. of Haryana, Home Department, Chandigarh.
3. Principal Secretary to Govt. of Haryana, Urban Local Bodies Department, Chandigarh.
4. Principal Secretary to Govt. of Haryana, Printing and Stationery, Haryana, Chandigarh.
5. Divisional Commissioner, Hisar and Karnal.
6. Director General of Police, Haryana, Panchkula.
7. Director, Urban Local Bodies, Haryana, Chandigarh.
8. Director, Public Relation, Haryana, Chandigarh.
9. Deputy Commissioner, Fatehabad and Kaithal.
10. Superintendent of Police, Fatehabad and Kaithal.
11. A copy alongwith is forwarded to the Controller, Printing & Stationery Department, Haryana for publication in the Haryana Government Gazette. He is requested to supply 10 copies of the notification to this Commission for information and record.


(Parmal Singh)

Asstt. State Election Commissioner, Haryana

Preshant Bhusan
(TRUE COPY)

29th May, 2024

Press Release

Lok Sabha Elections 2024

Phase 1 to 7

Analysis of Criminal Background, Financial, Education, Gender and other Details of Candidates

and

Analysis of Assets Comparison of Re-Contesting MPs in the Lok Sabha Election 2024

Association for Democratic Reforms

T-95, C.L. House, 2nd Floor,
Near Gulmohar Commercial Complex
Gautam Nagar,
New Delhi-110 049
Phone: +91-011-4165-4200
Email: adr@adrindia.org

Criminal Background

- Candidates with Declared Criminal Cases:** Out of the **8337** candidates analysed in **Lok Sabha Elections 2024**, **1643 (20%)** candidates have declared criminal cases against themselves. Out of the 7928 candidates analysed during **Lok Sabha Election in 2019**, **1500 (19%)** candidates have declared criminal cases against themselves. Out of 8205 candidates analysed during **Lok Sabha elections in 2014**, **1404(17%)** candidates had **declared criminal cases** against themselves. Out of 7810 candidates analysed during **Lok Sabha elections in 2009**, **1158(15%)** candidates had **declared criminal cases** against themselves.
- Candidates with Serious Criminal Cases:** **1191 (14%)** candidates contesting in **Lok Sabha Elections 2024** have declared serious criminal cases including charges related to **rape, murder, attempt to murder, kidnapping, crimes against women** etc. Out of 7928 candidates analysed during **Lok Sabha elections in 2019**, **1070(13%)** candidates had **declared serious criminal cases** against themselves. Out of 8205 candidates analysed during **Lok Sabha elections in 2014**, **908(11%)** candidates had **declared serious criminal cases** against themselves. Out of 7810 candidates analysed during **Lok Sabha elections in 2009**, **608(8%)** candidates had **declared serious criminal cases** against themselves.

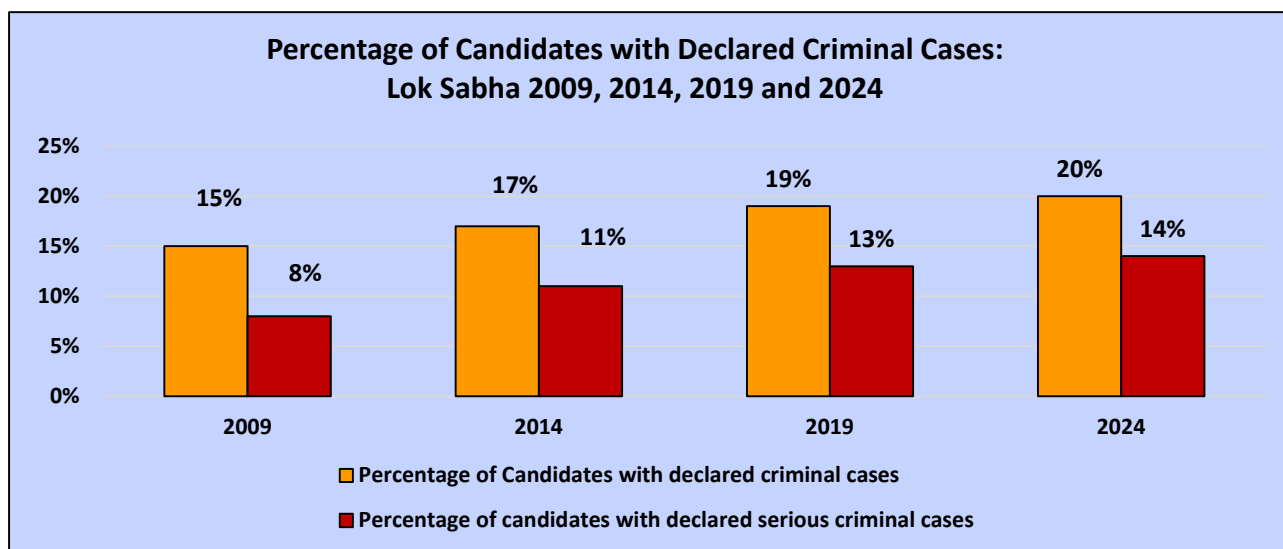
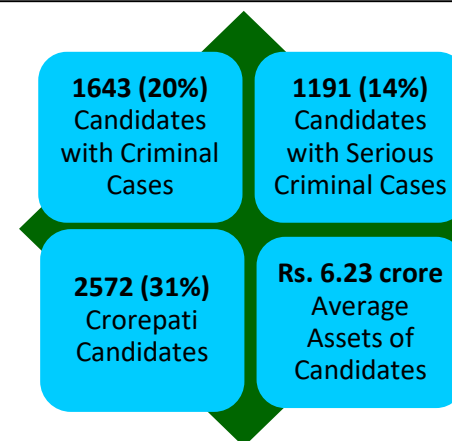


Figure: Percentage of Candidates with Declared Criminal Cases: Lok Sabha 2009, 2014, 2019 and 2024

Criteria for serious criminal cases

1. Offence for which maximum punishment is of 5 years or more.
2. If an offence is non-bailable
3. If it is an electoral offence (for eg. IPC 171E or bribery)
4. Offence related to loss to exchequer
5. Offences that are assault, murder, kidnap, rape related
6. Offences that are mentioned in Representation of the People Act (Section 8)
7. Offences under Prevention of Corruption Act
8. Crimes against women.

S.No.	Lok Sabha Election Year	Total Number of Candidates Analysed	Number of Candidates with Declared Criminal Cases	Percentage of Candidates with Declared Criminal Cases	Number of Candidates with Declared Serious Criminal Cases	Percentage of Candidates with Declared Serious Criminal Cases
1	2009	7810	1158	15%	608	8%
2	2014	8205	1404	17%	908	11%
3	2019	7928	1500	19%	1070	13%
4	2024	8337	1643	20%	1191	14%

Table: Candidates with Declared Criminal Cases: Lok Sabha 2009, 2014, 2019 and 2024

• **Top 5 Candidates with Maximum Declared Criminal Cases:**

S.No.	State	Constituency	Candidate Name	Party	Total Cases	Serious IPC
1	Kerala	Wayanad	K Surendran	BJP	243	139
2	Kerala	Ernakulam	Dr. K. S. Radhakrishnan	BJP	211	5
3	West Bengal	Barrackpur	Arjun Singh	BJP	93	236
4	Kerala	Idukki	Adv. Dean Kuriakose	INC	88	23
5	Telangana	Adilabad (ST)	Athram Suguna	INC	49	41

Table: Top 5 candidates with Maximum Declared Criminal Cases

- **Candidates with Declared Convicted Cases:** 98 candidates have declared cases where they have been convicted.
- **Candidates with cases related to Murder:** 40 candidates have declared cases related to **murder (IPC Section -302)** against themselves.
- **Candidates with cases related to Attempt to Murder:** 173 candidates have declared cases related to **attempt to murder (IPC Section 307)** against themselves.
- **Candidates with cases related to Crime against Women:** 197 candidates have declared cases related to **crime against women**. Out of 197 candidates 16 candidates have declared charge related to **rape (IPC Section-376)** and **Whoever commits rape repeatedly on the same woman, shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but may extend to imprisonment (IPC Section-376(2)(n))**.
- **Party wise Candidates with Criminal Cases:** 191 (43%) out of 440 candidates from **BJP**, 143 (44%) out of 327 candidates from **INC**, 63 (13%) out of 487 candidates from **BSP**, 33(63%) out of 52 candidates fielded by **CPI (M)** and 550 (14%) out of 3903 **Independent** candidates have declared criminal cases against themselves in their affidavits.

Data in this Kit is presented in good faith, with an intention to inform voters. Candidates' affidavits obtained from the ECI website (www.eci.gov.in) with nomination papers is the source of this analysis.
 Website: -www.adrindia.org, www.myneta.info.

- **Corepati candidates:** Out of the 8337 candidates analysed, **2572 (31%)** are corepatis. Out of **7928** candidates analysed during **Lok Sabha 2019 elections**, **2297 (29%)** candidates were corepatis. Out of **8205** candidates analysed during **Lok Sabha 2014 elections**, **2217 (27%)** candidates were corepatis, Out of **7810** candidates analysed during **Lok Sabha 2009 elections**, **1249 (16%)** candidates were corepatis.

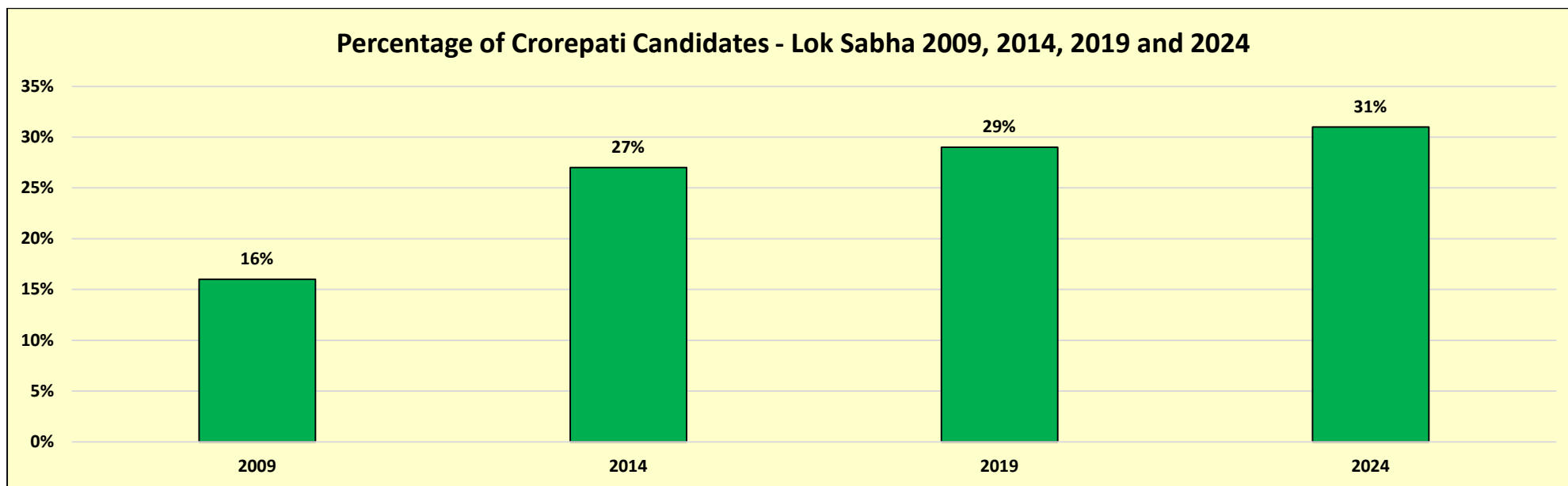


Figure: Corepati Candidates: 2009, 2014, 2019 and 2024

S.No.	Lok Sabha Election Year	Total Number of Candidates Analysed	Corepti Candidates	Percentage of Corepati Candidates
1	2009	7810	1249	16%
2	2014	8205	2217	27%
3	2019	7928	2297	29%
4	2024	8337	2572	31%

Table: Corepati Candidates: 2009, 2014, 2019 and 2024

Data in this Kit is presented in good faith, with an intention to inform voters. Candidates' affidavits obtained from the ECI website (www.eci.gov.in) with nomination papers is the source of this analysis.
 Website: -www.adrindia.org, www.myneta.info.

Prashant Bhushan
 (TRUE COPY)

6th June, 2024

Press Release

Lok Sabha Elections 2024

Analysis of Criminal Background, Financial, Education, Gender and other details of Winning candidates

Association for Democratic Reforms

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Criminal Background

- Winning candidates with Declared Criminal Cases** Out of the **543** winning candidates analysed in Lok Sabha 2024, **251 (46%)** winning candidates have declared criminal cases against themselves. Out of 539 MPs analysed during Lok Sabha elections in 2019, **233(43%)** MPs had **declared criminal cases** against themselves. Out of 542 MPs analysed during Lok Sabha elections in 2014, **185(34%)** MPs had **declared criminal cases** against themselves. Out of 543 MPs analysed during Lok Sabha elections in 2009, **162(30%)** MPs had **declared criminal cases** against themselves. **There is an increase of 55% in the number of MPs with declared criminal cases since 2009.**
- Winning candidates with Serious Criminal Cases:** **170 (31%)** winning candidates in Lok Sabha 2024 Elections have declared serious criminal cases including cases related to **rape, murder, attempt to murder, kidnapping, crimes against women** etc. Out of 539 MPs analysed during Lok Sabha elections in 2019, **159(29%)** MPs had **declared serious criminal cases** against themselves. Out of 542 MPs analysed during Lok Sabha elections in 2014, **112(21%)** MPs had **declared serious criminal cases** against themselves. Out of 543 MPs analysed during Lok Sabha elections in 2009, **76(14%)** MPs had **declared serious criminal cases** against themselves. **There is an increase of 124% in the number of MPs with declared serious criminal cases since 2009.**

Criteria for serious criminal cases

1. Offence for which maximum punishment is of 5 years or more.
2. If an offence is non-bailable
3. If it is an electoral offence (for eg. IPC 171E or bribery)
4. Offence related to loss to exchequer
5. Offences that are assault, murder, kidnap, rape related
6. Offences that are mentioned in Representation of the People Act (Section 8)
7. Offences under Prevention of Corruption Act
8. Crimes against women.

Comparison of declared criminal cases of MPs of 2009, 2014, 2019 and winning candidates 2024

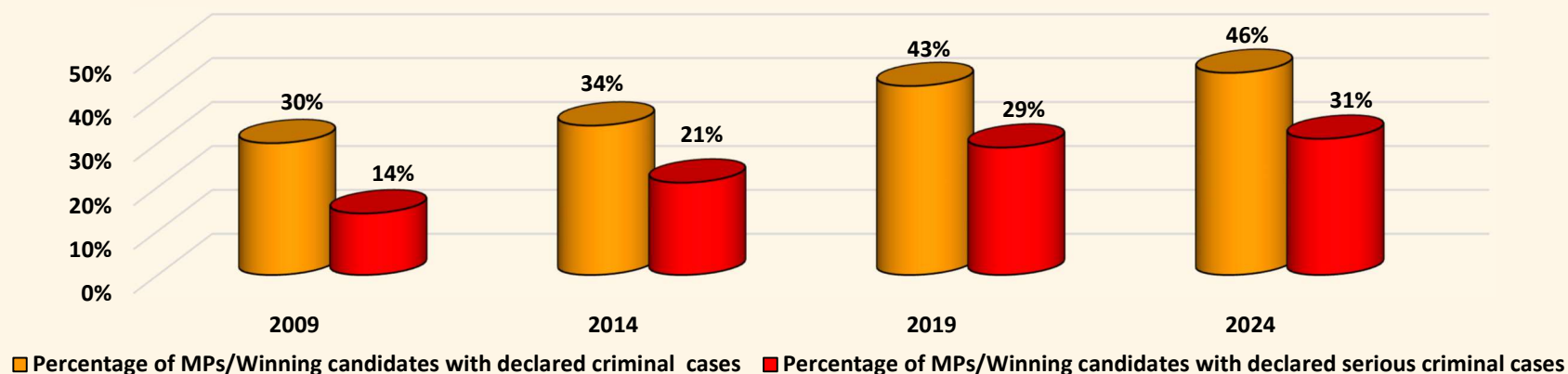


Figure: Comparison of declared criminal cases of MPs of 2009, 2014, 2019 and winning candidates 2024

Data in this Kit is presented in good faith, with an intention to inform voters. Winning candidates affidavits obtained from the ECI website (<https://affidavit.eci.gov.in/>) with nomination papers is the source of this analysis. Website: -www.adrindia.org, www.myneta.info.

Lok Sabha Election Year	Number of MPs/Winning candidates Analysed	Number of MPs/Winning candidates with Declared Criminal Cases	Percentage of MPs/Winning candidates with Declared Criminal Cases	Number of MPs/Winning candidates with Declared Serious Criminal Cases	Percentage of MPs/Winning candidates with Declared Serious Criminal Cases
2009	543	162	30%	76	14%
2014	542	185	34%	112	21%
2019	539	233	43%	159	29%
2024	543	251	46%	170	31%

Table: MPs/Winning candidates with Declared Criminal Cases: 2009, 2014, 2019 and 2024

- **Winning candidates with declared convicted cases: 27** winning candidates have declared convicted cases against themselves. The details of these winning candidates are given below:

S.No.	Name	State	Constituency	Party	Total Cases (including pending cases)	Convicted Cases	Serious IPC
1	Adv. Dean Kuriakose	Kerala	Idukki	INC	88	18	23
2	Shafi Parambil	Kerala	Vadakara	INC	47	8	9
3	Eatala Rajender	Telangana	Malkajgiri	BJP	45	5	15
4	Rajesh Ranjan Alias Pappu Yadav	Bihar	Purnia	IND	41	2	42
5	Dulu Mahato	Jharkhand	Dhanbad	BJP	22	2	34
6	Rahul Gandhi	Kerala	Wayanad	INC	18	1	2
7	Rahul Gandhi	Uttar Pradesh	Rae Bareli	INC	18	1	2
8	B K Parthasarathi	Andhra Pradesh	Hindupur	TDP	15	3	3
9	K. Sudhakaran	Kerala	Kannur	INC	14	2	5
10	Adv Adoor Prakash	Kerala	Attingal	INC	13	3	0
11	Hibi Eden	Kerala	Ernakulam	INC	10	2	0
12	Kamlesh Paswan	Uttar Pradesh	Bansgaon (SC)	BJP	9	2	21
13	Imran Masood	Uttar Pradesh	Saharanpur	INC	8	1	9
14	Rajmohan Unnithan	Kerala	Kasaragod	INC	6	2	1
15	Dr. Mallu Ravi	Telangana	Nagarkurnool (SC)	INC	6	1	9
16	Benny Behanan	Kerala	Chalakydy	INC	5	1	0

Data in this Kit is presented in good faith, with an intention to inform voters. Winning candidates affidavits obtained from the ECI website (<https://affidavit.eci.gov.in/>) with nomination papers is the source of this analysis. Website: -www.adrindia.org, www.myneta.info.

Financial Background

- **Crorepati Winning candidates:** Out of the 543 Winning candidates analysed, **504 (93%)** are crorepatis. Out of **539** MPs analysed during **Lok Sabha 2019 elections**, **475 (88%)** MPs were crorepatis. Out of **542** MPs analysed during **Lok Sabha 2014 elections**, **443 (82%)** MPs were crorepatis and out of **543** MPs analysed during **Lok Sabha 2009 elections**, **315(58%)** MPs were crorepatis.

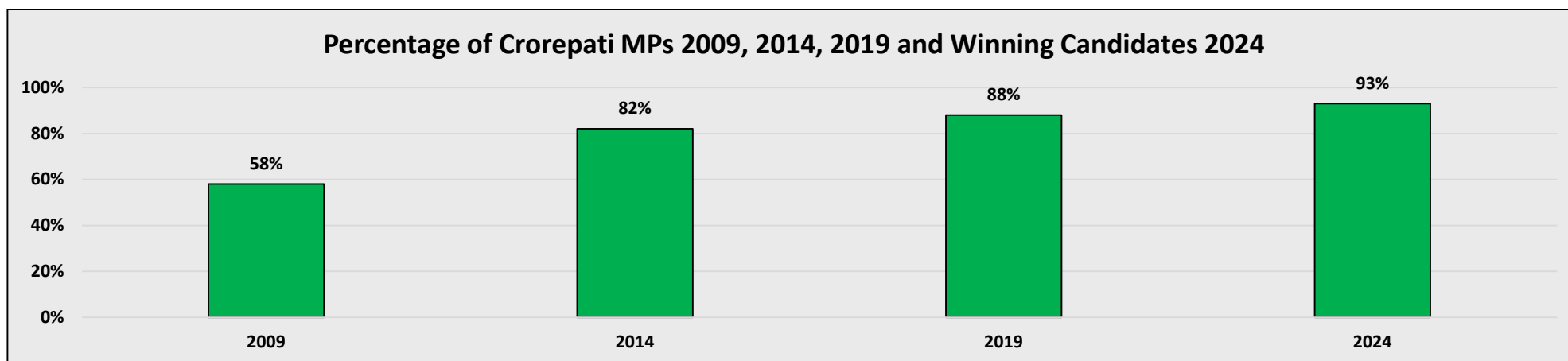


Figure: Percentage of Crorepati MPs 2009, 2014, 2019 and Winning Candidates 2024

S.No.	Lok Sabha Election Year	Number of MPs/Winning Candidates Analysed	Number of Crorepati MPs/Winning Candidates	Percentage of Crorepati MPs/Winning Candidates
1	2009	543	315	58%
2	2014	542	443	82%
3	2019	539	475	88%
4	2024	543	504	93%

Table: Crorepati MPs/Winning candidates: 2009, 2014, 2019 and 2024

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Prashant Bhusan
(TRUE COPY)

Press Release

Date 17th March, 2025

Analysis of Sitting MLAs from 28 State Assemblies and 3 Union Territories of India 2025

A report by

ASSOCIATION FOR DEMOCRATIC REFORMS

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Data in this Kit is presented in good faith, with an intention to inform voters. MLAs' affidavits obtained from the ECI website (<https://affidavit.eci.gov.in/>) with nomination papers is the source of this analysis. Website:- www.adrindia.org, www.myneta.info

Criminal Background

- **Sitting MLAs with Criminal Cases:** Out of the **4092 MLAs** analysed from state assemblies, **1861 (45%) MLAs** have declared criminal cases against themselves.
- **Sitting MLAs with Serious Criminal Cases:** **1205 (29%)** MLAs from State assemblies have declared serious criminal cases including cases related to **murder, attempt to murder, kidnapping, crimes against women etc.**
- **State with Highest Percentage of Sitting MLAs with Criminal Cases:** **138 (79%)** out of 174 MLAs from **Andhra Pradesh**, **93 (69%)** out of 134 MLAs from **Kerala**, **82 (69%)** out of 119 MLAs from **Telangana**, **158 (66%)** out of 241 MLAs from **Bihar**, **187(65%)** out of 286 MLAs from **Maharashtra** and **132 (59%)** out of 224 MLAs from **Tamil Nadu** have declared criminal cases against themselves in their self-sworn affidavits.
- **State with Highest Percentage of Sitting MLAs with Serious Criminal Cases:** **98 (56%)** out of 174 MLAs from **Andhra Pradesh**, **59 (50%)** out of 119 MLAs from **Telangana**, **119 (49%)** out of 241 MLAs from **Bihar**, **66 (45%)** out of 147 MLAs from **Odisha**, **36(45%)** out of 80 MLAs from **Jharkhand** and **116 (41%)** out of 286 MLAs from **Maharashtra** have declared serious criminal cases against themselves in their self-sworn affidavits.
- **Party wise Sitting MLAs with Criminal Cases:** **638(39%)** out of 1653 MLAs from **BJP**, **339(52%)** out of 646 MLAs from **INC**, **115 (86%)** out of 134 MLAs from **TDP**, **98(74%)** out of 132 MLAs from **DMK**, **95(41%)** out of 230 MLAs from **AITC**, **69(56%)** out of 123 MLAs from **AAP** and **68 (62%)** out of 110 MLAs from **SP** have declared criminal cases against themselves in their affidavits.
- **Party wise Sitting MLAs with Serious Criminal Cases:** **436(26%)** out of 1653 MLAs from **BJP**, **194(30%)** out of 646 MLAs from **INC**, **82 (61%)** out of 134 MLAs from **TDP**, **42(32%)** out of 132 MLAs from **DMK**, **78(34%)** out of 230 MLAs from **AITC**, **35(28%)** out of 123 MLAs from **AAP** and **48 (44%)** out of 110 MLAs from **SP** have declared serious criminal cases against themselves in their affidavits.
- **MLAs with cases related to murder:** **54** MLAs have declared cases related to murder (**IPC Section-302**).
- **MLAs with cases related to Attempt to Murder:** **226** MLAs have declared cases of attempt to murder (**IPC Section-307** and **BNS Section-109**).
- **MLAs with cases related to Crimes against Women:** **127** MLAs have declared cases related to crimes against women. Out of **127** MLAs, **13** MLAs have declared cases related to **rape (IPC Section-376)** and **Whoever commits rape repeatedly on the same woman, shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but may extend to imprisonment (IPC Section-376(2)(n)).**

Financial Background

- **Average Assets of MLAs:** The average of assets per MLA from state assemblies is **Rs 17.92 Crores**.
- **Average Assets of MLAs with declared criminal cases from State Assemblies Vs Average Assets of MLAs with no Criminal Cases:** The average assets of MLAs with declared criminal cases is **Rs 20.97 Crores**. As compared to this, the average assets of MLAs with no criminal cases is **Rs 15.38 Crores**.
- **Billionaire MLAs:** Out of the **4092** MLAs analysed from State Assemblies, **119 (3%)** are Billionaires.
- **State with Highest Percentage of Billionaire MLAs:** **27(16%)** out of 174 MLAs from Andhra Pradesh, **31 (14%)** out of 223 MLAs from Karnataka, **18 (6%)** out of 286 MLAs from Maharashtra, **7(6%)** out of 119 MLAs from Telangana, **5(6%)** out of 90 MLAs from Haryana, **3(5%)** out of 59 MLAs from Arunachal Pradesh and **3(4%)** out of 70 MLAs from Delhi have declared assets worth more than **Rs. 100 crores**.

Share of wealth among MLAs

Value of assets (Rs.)	Number of MLAs	Percentage of MLAs
1000 crores and above	4	0.10%
500 crores to 1000 crores	8	0.20%
100 crores to 500 crores	107	2.61%
10 crores to 100 crores	1040	25.42%
1 crore to 10 crores	2227	54.42%
10 Lakhs to 1 Crores	641	15.66%
1 Lakh to 10 Lakhs	53	1.30%
less than 1 lakhs	12	0.29%

Table: Share of wealth amongst MLAs

State Wise Billionaire MLAs

Assembly Election Name	Number of MLAs Analysed	No. of Billionaire MLAs in each State and Union Territories	% of Billionaire MLAs in each State and Union Territories
Karnataka 2023	223	31	14%
Andhra Pradesh 2024	174	27	16%
Maharashtra 2024	286	18	6%
Telangana 2023	119	7	6%

Data in this Kit is presented in good faith, with an intention to inform voters. MLAs' affidavits obtained from the ECI website (<https://affidavit.eci.gov.in/>) with nomination papers is the source of this analysis. Website:- www.adrindia.org, www.myneta.info

Analysis Based on Party Wise Total Assets and Average Assets of Sitting MLAs

Total assets of sitting MLAs: The total assets of 4092 sitting MLAs are Rs. 73,348 Crores. This is more than the Rs. 72,000 Crores combined annual budget (2023-24) of the states of Nagaland (Rs. 23,086 Crores), Tripura (Rs. 26,892 Crores) and Meghalaya (Rs 22,022 Crores).

- **Party wise total assets of sitting MLAs:** The total assets for 1653 BJP MLAs analysed is Rs. 26,270 Crores, for 646 INC MLAs analysed is Rs 17,357 Crores, for 134 TDP MLAs analysed is Rs 9,108 Crores, for 64 Independent MLAs analysed is Rs 2,388 Crores, for 59 Shiv Sena MLAs analysed is Rs 1,758 Crores and 132 DMK MLAs have total assets worth Rs.1,675 Crores.
- The total assets for 1653 BJP MLAs analysed is Rs. 26,270 Crores, which is more than the individual annual budgets (2023-24) of Sikkim, Nagaland and Meghalaya.
- **Party-wise average assets:** Among major parties, the average assets per MLA for 1653 BJP MLAs analysed is Rs. 15.89 Crores, for 646 INC MLAs analysed is Rs 26.86 Crores, for 134 TDP MLAs analysed is Rs 67.97 Crores, for 59 Shiv Sena MLAs analysed is Rs 29.81 Crores, for 123 AAP MLAs analysed is Rs 7.33 Crores and 230 AITC MLAs have average assets worth Rs.3.73 Crores.

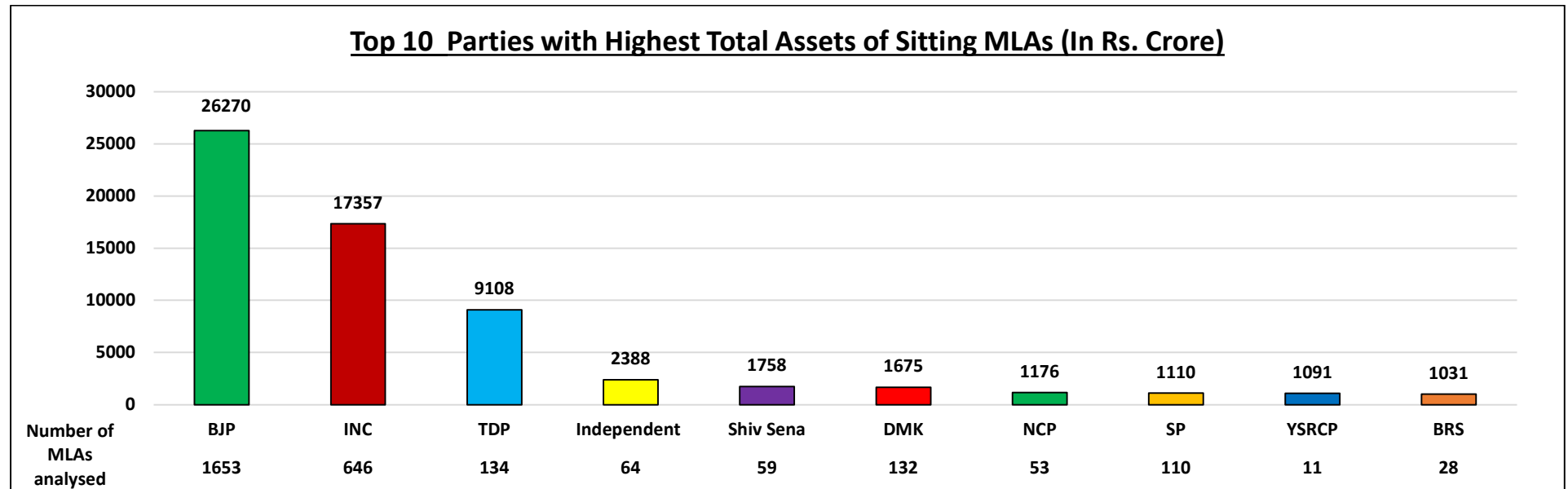


Figure: Top 10 Parties with Highest Total Assets of MLAs (In Rs. Crore)

Data in this Kit is presented in good faith, with an intention to inform voters. MLAs' affidavits obtained from the ECI website (<https://affidavit.eci.gov.in/>) with nomination papers is the source of this analysis. Website:- www.adrindia.org, www.myneta.info

Prashant Bhusan
(TRUE COPY)

VAKALATNAMA

IN THE SUPREME COURT OF INDIA
(CIVIL ORIGINAL JURISDICTION)

IA.NO. _____ OF 2025

IN

WRIT PETITION (C) NO. 677 OF 2024

IN THE MATTER OF :

The Vidhi Centre for Legal Policy

____ Petitioner

Versus

Union of India & Ors.

.... Respondents

AND IN THE MATTER OF :

Association for Democratic Reforms

.....Applicant/Intervenor

I, **Mr. Jagdeep S. Chhokar, Founder Trustee of the Applicant/Intervenor, R/o Plot No. E-5, 4th Floor, Lane-1, Westend Marg, Saidulajab, New Delhi 110030, Applicant** in the instant petition, do hereby appoint and retain **Prashant Bhushan** Advocate on Record of the Supreme Court, to act and appear for me/us in the above Petition and on my behalf to conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any degree or order passed there in, including proceeding in taxation and application for review, to file and obtain return of document and to deposit and receive money on may/our behalf in the said petition/appeal Reference and application, Review Petition and to represent me/us and to take all necessary steps on may /our behalf in the above matter, I. We agree to rectify all acts done by the aforesaid advocate on record in pursuance of this authority.

Dated 9th day of July, 2025

Accepted, certified and identified the client.



(Signed)


 (JAGDEEP S. CHHOKAR)
 Applicant/Intervenor


 (PRASHANT BHUSHAN)
 For the Applicant

MEMO OF APPEARANCE

To,
The Registrar,
Supreme Court of India,
New Delhi,

Sir,

Please enter my appearance on behalf of the Petitioner in the matter mentioned above:
New Delhi dated this, the 18th day of July, 2025

Yours faithfully,

Prashant Bhushan

PRASHANT BHUSHAN

Advocate for the **Applicant/Intervenor.**

CODE: 515

The address for service of the said Advocate on record is: -

- Res/Off: E-24, Sector 50, Noida – 201 301
- E-mail: neha305@gmail.com
- Ph: 8860867102

9th July, 2025

AUTHORISATION

This is to certify that Mr. Jagdeep Chhokar, Founder Trustee, 'Association for Democratic Reforms' (ADR), a registered Society under the Societies Registration Act XXI of 1860 (Registration No. S/11017 of 5th June 1980), is authorized to represent/plead/file an Impleadment Application on behalf of 'Association for Democratic Reforms' in the matter of The Vidhi Centre for Legal Policy Vs. Union of India & Ors; W.P (C) No. 677/2024.

We further authorise him to perform all such acts in the present case which he deems fit and proper in the interest of justice. It is further clarified that this includes the authority to file applications in the above-mentioned matter.



Maj Gen Anil Verma (Retd)

Head,

Association for Democratic Reforms

Plot No. E-5, 4th Floor, Lane -1,

Westend Marg, Saidulajab, New Delhi 110030

प्रजा ही प्रभु है!



Dol Bhandari <bhandaridolraj@gmail.com>

Sub: Writ Petition (Civil) No. 677 of 2024 titled The Vidhi Centre for Legal policy Vs. Union of India & Ors.

1 message

Dol Bhandari <bhandaridolraj@gmail.com>

Fri, Jul 18, 2025 at 3:21 PM

To: "harsh.nls@gmail.com" <harsh.nls@gmail.com>, ankit@agarwallaw.in, Visaka Murthy <nvisakamurthy@gmail.com>

Cc: Prashant Bhushan <prashantbhush@gmail.com>

Bcc: Neha Rathi <neha305@gmail.com>

Dear Sir/madam

I, on behalf of the Intervenor have filed a copy of the Intervention Application in Writ Petition (Civil) No. 677 of 2024 titled The Vidhi Centre for Legal policy Vs. Union of India & Ors.

Thank You.

Yours sincerely

Dol Raj Bhandari

Clerk of Mr. Prashant Bhushan Advocate

Mobile No. 9868255076

**Final Intervention Application.pdf**

6440K