

OFFICE OF THE CHIEF ELECTORAL OFFICER, TELANGANA
GENERAL ADMINISTRATION (ELECTIONS) DEPARTMENT
9th Floor, B.R.K.R Bhavan, Adarsh Nagar, Hyderabad -500 063.

Memo.No.2135/Elecs.D/2024-11,

Dated: 25.04.2024

Sub:- Elections – General Elections to the HoP (Lok Sabha), 2024 – Publication of Criminal antecedents by contesting candidates and political parties in pursuance of the Hon'ble Supreme Court decision in WP (C) No.784 of 2015 (Lok Prahari Vs. Union of India and Others and in WP (C) No. 536 of 2011 petition (c) no. 2192 of 2018 in WP (C) no. 536 of 2011 – Guidelines on publicity of criminal antecedents - Reg.

- Ref:- 1. ECI, Press Note No. ECI/PN/23/2024, Dated:16.03.2024.
2. ECI Guidelines on Publicity of Criminal antecedents by political parties & Candidates, January, 2022.
3. ECI, New Delhi Letter.No.3/4/2024/CAMS, Dated. 18.03.2024.
4. ECI, New Delhi, Letter.No.3/4/2024/CAMC, Dt. 24.04.2024.

-:oOo:-

Copy of the reference 4th cited together with its enclosures are sent herewith to the Commissioner, GHMC & District Election Officer, Hyderabad and all the Collectors & District Election Officers in the State for information and taking necessary action in the matter.

VIKAS RAJ
CHIEF ELECTORAL OFFICER &
E.O. SPL. CHIEF SECRETARY TO GOVT.

To
The Commissioner, GHMC & District Election Officer, Hyderabad (w.e).
All the Collectors & District Election Officers in the State (w.e)
All the Returning Officers for 17 PCs in the State
(through the concerned District Election Officers).

Copy to :

SLA (for placing on ceotelangana website)
Sf/Sc

// FORWARDED :: BY ORDER //

P.V. Subbarao
SECTION OFFICER

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No. 3/4/2024/CAMC

Dated: 24th April, 2024

To,

The Chief Electoral Officers
All States/Union Territories.

Subject: Publication of criminal antecedents by contesting candidates and political parties in pursuance of the Hon'ble Supreme Court decision in WP (C) No. 784 of 2015 (Lok Prahari Vs. Union of India and Others and in WP (C) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.) and in contempt petition (c) no. 2192 of 2018 in WP (C) no. 536 of 2011 - Guidelines on publicity of criminal antecedents – regarding.



Madam/Sir.

I am directed to refer to the Commission's letter of even no. dated 18.03.2024 (copy enclosed) forwarding consolidated guidelines on 'Publicity of Criminal Antecedents of Candidates' vide which CEOs have been directed that any Format-C8, C7 received by them shall be sent to the Commission, at the earliest.

2. It is stated that as per Commission's aforesaid guidelines issued in pursuance of Hon'ble Supreme Court's order/directions dated 13.02.2020 and 10.08.2021 in the matter of publicity of criminal antecedents of candidates, Political Parties sponsoring candidates with criminal antecedents are required to publish details of criminal antecedents of their sponsored candidates in Format-C7 and thereafter submit a compliance report in Format-C8 to the above effect.

3. On the basis of above Format-C8s of Political Parties and its enclosures (proofs of Format-C7 publication), a report regarding any non-compliance of Hon'ble Supreme Court's order/directions dated 13.02.2020 and 10.08.2021 in the matter of 'publicity of criminal antecedents of candidates' is prepared by the Commission, which is then submitted to the Hon'ble Supreme Court.

4. The Commission vide its letter no. No. 3/4/2020/SDR/Vol.III dated 06.03.2020 (copy enclosed) has directed all the political parties that their compliance report in Format-C8 shall be sent to the Commission within 72 hours of the selection of the candidate.

However, it has been observed that in certain instances Political Parties are submitting their Format-C8 to the Returning Officer or in CEO Office concerned and not to the Election Commission, directly.

5. In furtherance of directions contained in Commission's letter of even no. dated 18.03.2024, it is directed that for all elections, Returning Officer shall ensure that if compliance report in Format-C8 is received by them from any Political Party then such compliance report (Format-C8) along with all its annexures i.e. original Newspapers, Screenshots of Party's Social Media Accounts and Website containing Format-C7 publications shall be sent to the Commission, in original, through concerned CEO Office, at the earliest.

6. It is reiterated that if the above documents are received from Political Parties by the CEO Office, then the same shall be sent to the Commission immediately, in original.

Yours faithfully,


(ABHISHEK TIWARI)
UNDER SECRETARY

- Encl:**
1. Commission's letter No. 3/4/2020/SDR-Vol.III dated 18.03.2024.
 2. Letter No. 3/4/2020/SDR/VoLIII dated 06.03.2020.
 3. Specimen Format-C8 and Format-C7

Email/Speed Post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No. 3/4/2024/CAMC

Dated: 18th March, 2024

To,

The Chief Electoral Officers
All States/Union Territories.

Subject: Publication of criminal antecedents by contesting candidates and political parties in pursuance of the Hon'ble Supreme Court decision in WP (C) No. 784 of 2015 (Lok Prahari Vs. Union of India and Others and in WP (C) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.) and in contempt petition (c) no. 2192 of 2018 in WP (C) no. 536 of 2011 - Guidelines on publicity of criminal antecedents – regarding.

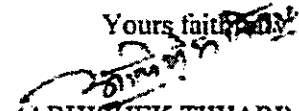
Madam/Sir,

I am directed to refer to the Commission's letter No. 3/4/2021/SDR/Vol-III dated 11th January, 2022 forwarding therewith a booklet containing "Guidelines on publicity of criminal antecedents by political parties and candidates".

2. The above said guidelines are again forwarded herewith for you information. These are also uploaded on Commission's website (<https://www.eci.gov.in>) under path 'Instructions' → 'View More' → 'Year-2022' → 'Sl. No. '45'.
3. The guidelines shall be re-circulated to all DEOs/ROs in the State/ Union Territory for necessary action on their part.
4. These guidelines shall also be re-circulated to all the political parties based in the State/UT i.e. the State Units of the recognized National parties and recognized State parties of other States and all registered un-recognized National/State political parties with headquarters based in your State/ Union Territory, with instructions to take note of the above directions for strict compliance both by the political parties and their candidates in all elections.
5. Further, for all elections, documents pertaining to publicity of criminal antecedents of the candidates i.e. Format-CA, any Format-C8, C7 and Format-C6 shall now be sent to the Pr. Secy/Sr.Pr.Secy of Criminal Antecedents Monitoring Cell only instead of Pr. Secy/Sr.Pr.Secy of concerned Territorial Zone/Biennial Election Division. In addition, a copy of Form-7A of concerned election shall also be sent at the earliest.

6. It is reiterated that Format-CA shall be sent to the Commission within prescribed time frame i.e. on last date of making nominations itself.

7. Further, any Format-C8 received from Political Parties shall be sent to the Commission immediately, along with all its annexures i.e. proofs of publication of Format-C7 in National Newspaper, Local Newspapers and on their Social Media Platforms and Website.

Yours faithfully

(ABHISHEK TIWARI)
UNDER SECRETARY

Encls :- Guidelines on publicity of criminal Antecedents.

Email/Speed Post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No. 3/4/2021/SDR/Vol-III

Dated: 11th, January, 2022

To,

The Chief Electoral Officers
All States/Union Territories

Subject: Publication of criminal antecedents by contesting candidates and political parties in pursuance of the Hon'ble Supreme Court decision in WP (C) No. 784 of 2015 (Lok Prahari Vs. Union of India and Others and in WP (C) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.) and in contempt petition (c) no. 2192 of 2018 in WP (C) no. 536 of 2011 - regarding.

Reference: -

- 1-No. 3/4/2017/SDR/Vol.II dated 10th October, 2018
- 2-No. 3/4/2019/SDR/Vol.I dated 19th March, 2019
- 3-No. 76/ECI/INST/FUNC/EEM/EEPS/2019/VOL. XVII dated 8th May, 2019
- 4-No. 3/4/2019/SDR/Vol.III dated 30th August, 2019
- 5-No. 3/4/2020/SDR/Vol.III dated 6th March, 2020
- 6-No. 3/4/2020/SDR/Vol.III dated 19th March, 2020
- 7-No. 3/4/2019/SDR/Vol.IV dated 16th September, 2020
- 8-No. 3/4/2019/SDR/Vol.IV dated 30th October, 2020
- 9- No. 3/4/2020/SDR/Vol.III dated 11th January, 2021
- 10- No. 3/4/2021/SDR/Vol.III dated 26th August, 2021

Sir/Madam,

I am directed to refer to the above letters on the subject cited and Commission's letter No. 3/4/2021/SDR dated 26th February, 2021 vide which a booklet containing "Guidelines on publicity of criminal antecedents by political parties and candidates" was forwarded to you.

2. In light of Hon'ble Supreme Court's judgment dated 10.08.2021 in the matter, the above booklet has been updated and is being forwarded herewith for your information and future reference.
3. This shall be informed to all DEOs/ROs in the State/ Union Territory for necessary action on their part.

4. This shall also be circulated to all the political parties based in the State i.e. the State Units of the recognised National parties and recognised State parties of other States and all registered un-recognised National/State political parties with headquarters based in your State/ Union Territory, with instructions to take note of the above direction for strict compliance both by the parties and their candidates in all future elections.

Yours faithfully,


(NARENDRA. N. BUTOLIA)
Sr. PRINCIPAL SECRETARY

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 3/4/2020/SDR/Vol.III

Dated: 6th March, 2020

To

The President/General Secretary/Chairperson/Convener,
of all recognized National and State Political Parties.

Sub: Order dated 13th February, 2020 of Hon'ble Supreme Court in Contempt Petition (C) No. 2192 of 2018 in WP(C) No. 536 of 2011 - Requirement of publishing details regarding candidates with pending criminal cases- regarding.

Sir/Madam,

I am directed to bring to your notice of the Hon'ble Supreme Court's Order dated 13.02.2020 in Contempt Petition (C) No. 2192 of 2018 in WP(C) No. 536 of 2011.

2. In this connection your attention is drawn to the Commission's instructions contained in letters no. 3/4/2017/SDR/Vol.II & 3/4/2019/SDR/Vol.I dated 10th October, 2018 and 19th March, 2019 respectively in compliance of the Hon'ble Supreme Court's judgement dated 25th September, 2018, in *Public Interest Foundation & Ors. V. Union of India & Anr.* [WP (Civil) No. 536 of 2011].

3. The Hon'ble Supreme Court in its Order dated 13.02.2020 in Contempt Petition (C) No. 2192 of 2018 in WP(C) No. 536 of 2011, referred to above, has given the following directions: -

"4. We have also noted that the political parties offer no explanation as to why candidates with pending criminal cases are selected as candidates in the first place. We therefore issue the following directions in exercise of our constitutional powers under Articles 129 and 142 of the Constitution of India:

(1) It shall be mandatory for political parties (at the Central and State election level) to upload on their website detailed information regarding individuals with pending criminal cases (including the nature of the offences, and relevant particulars such as whether charges have been framed, the concerned Court, the case number etc.) who have been selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates.

(2) *The reasons as to selection shall be with reference to the qualifications, achievements and merit of the candidate concerned, and not mere "winnability" at the polls.*

(3) *This information shall also be published in :*

(a) *One local vernacular newspaper and one national newspaper;*

(b) *On the officials social media platforms of the political party, including Facebook & Twitter.*

(4) *These details shall be published within 48 hours of the selection of the candidate or not less than two weeks before the first date for filing of nominations, whichever is earlier.*

(5) *The political party concerned shall then submit a report of compliance with these directions with the Election Commission within 72 hours of the selection of the said candidate.*

(6) *If a political party fails to submit such compliances report with the Election Commission, the Election Commission shall bring such non-compliance by the political party concerned to the notice of the Supreme Court as being in contempt of this Court's orders/directions."*

4. In pursuance of the directions given by the Hon'ble Supreme Court in its Order dated 13.02.2020 and in addition to the Commission's earlier instructions dated 10th October, 2018 and 19th March, 2019, the Commission, after due consideration has directed that all political parties, that set up candidates with criminal antecedents, either pending cases or cases of past conviction shall scrupulously follow each of the above directions in all future elections to the Houses of Parliament and State Legislatures. Information regarding individuals with criminal cases, who have been selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates shall be published by the political party in the newspapers, social media platform and website of the party in the enclosed **Format C-7** within 48 hours of the selection of the candidate or not less than two weeks before the first date for filing of nominations, whichever is earlier.

5. A compliance report in the enclosed **Format C-8** shall be sent to the Commission within 72 hours of the selection of the candidate.

6. The party may note that failure to abide by the abovementioned directions will render the party liable to contempt proceedings before the Hon'ble Supreme Court.

7. It is clarified that failure to abide by the above directions will also be treated as failure to follow a lawful direction of the Commission for the purposes of Paragraph-16A of the Elections Symbols (Reservation & Allotment) Order, 1968.

Yours faithfully,


(NARENDRA N. BUTOLIA)
PRINCIPAL SECRETARY

Copy to: -The Chief Electoral Officers of all States and UTs with the request that a copy of this letter may be sent to all registered political parties with headquarters in the State/UT including the State Units of the recognized National and State Parties.

Format C-7

(for political parties to publish in
the newspapers, social media platforms
& website of the party)

Information regarding individuals with pending criminal cases, who have been selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates

(As per the Commission's directions issued in pursuance of the Order dated 13.02.2020 of the Hon'ble Supreme Court in contempt petition(C) no. 2192 of 2018 in WP(C) no. 536 of 2011)

Name of Political Party: _____

*Name of the Election: _____

Name of State/UT: _____

(1) Name of the Constituency-.....

Name of the candidate-.....

Sl.no.	
1.	Criminal antecedents
a.	Nature of the offences
b.	Case no.
c.	Name of the Court
d.	Whether charges have been framed or not (Yes/No)
e.	Date of conviction, if any
f.	Details of punishment undergone, if any
g.	Any other information required to be given
2.	The reasons for the selection of the candidate. Selection shall be with reference to the qualifications, achievements and merit of the candidate, and not mere "winnability" at the polls (not more than 100 words)
3.	Reasons as to why other individuals without criminal antecedents could not be selected as candidates (not more than 100 words)

(2) Name of the Constituency-.....

Name of the candidate-.....

.....and so on

* In the case of election to Council of States or States or election to Legislative Council by MLAs, mention the election concerned in place of name of Constituency.

Signature of office bearer of the Political Party
Name and designation.....

Note:-

- (1) Political parties (at the Central and State election level) shall upload on their website detailed information regarding individuals with pending criminal cases (including the nature of the offences, and relevant particulars such as whether charges have been framed, the concerned Court, the case number etc.) who have been selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates.
- (2) The reasons as to selection shall be with reference to the qualifications, achievements and merit of the candidate concerned, and not mere "winnability" at the polls.
- (3) This information shall also be published in:
 - (a) One local vernacular newspaper and one national newspaper;
 - (b) On the official social media platforms of the political party, including Facebook & Twitter.
- (4) The matter in newspapers shall be published in font size of at least 12.
- (5) The above information shall be published State wise for each State/UT.
- (6) **These details shall be published within 48 hours of the selection of the candidate or not less than two weeks before the first date for filing of nominations, whichever is earlier.**
- (7) **The political party concerned shall then submit a report of compliance in Format C-8 with the Election Commission within 72 hours of the selection of the said candidate.**

Format C-8

Report of political party as required under the Commission's directions issued in pursuance of the Order dated 13-02-2020 of Hon'ble Supreme Court in Contempt Petition(C) No. 2192 of 2018 in WP (C) No. 536 of 2011.

Name of political party : _____

Details of Social Media Accounts of the party: (i)

(Facebook, Twitter etc.) (ii)

(iii)

Name of Election: _____

Gen Election/ Bye –election to Lok Sabha/Leg Assembly/Biennial election/ Bye election to Council of States/Leg Council

(Write the appropriate alternative)

Name of State: _____

It is certified that _____ (name of political party) has published detailed information regarding the persons with pending criminal cases in the Format prescribed by the Commission (Format C-7) as per the directions in the Commission's letter No. _____, dated _____ in the following media:

Sl.no.		Date of publication & cost of publication to be mentioned in column below	
		Date	Cost
1.	One National Newspaper (copy to be furnished)		
2.	One Local Vernacular Newspaper (copy to be furnished)		
3.	Social Media Platforms of the party (print to be furnished)		

4.	Website of the party (printout of the material enclosed)		
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Declaration

It is declared that full information, explanation and details have been published in respect of each of the persons with pending cases who have been selected to be the candidates of the party in the abovementioned election, as per the directions in the Order dated 13-02-2020 of the Hon'ble Supreme Court referred to above, and nothing has been concealed.

Place:

Signature of office bearer of the Political Party

Name and designation.....

Date:

(seal of the Party)

Note:-This report shall be furnished at least two weeks before the date on which nomination is proposed to be filed or within 48 hours of selection of the candidate, whichever is earlier.