Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

# CRIMINALISATION OF POLITICS IN INDIA: DID THE SUPREME COURT MISS THE OPPORTUNITY

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**Abstract**
The increasing criminalization of politics in India poses a serious challenge to democratic governance, electoral integrity, and public trust. Despite widespread public concern and multiple Law Commission reports advocating for reforms, a significant number of lawmakers continue to have serious criminal charges pending against them. This paper critically examines the role of the Supreme Court in addressing this issue, particularly in light of recent judgments that stopped short of enforcing stringent disqualification norms. While the Court has directed political parties to disclose criminal backgrounds of candidates and explain their selection, the absence of binding consequences has limited the impact of such directives. This abstract evaluates whether the judiciary missed a vital opportunity to initiate stronger reforms and explores the need for comprehensive legislative and political action to curb the growing nexus between crime and politics in India.

**Keywords:** Political Ideologies, Peoples Act, Perennial problem, democracy

## Introduction

The establishment of a government by rule of law is supposed to be the best form because it is against the cruel and rigid use of the power and favourable to the just use of freedom. This is the gist of democracy. Condition precedent for a democracy is free and fair election. The aims and aspirations of common people glimpses through elections. They elect their representatives who create legislature. Therefore, election is the means by which the rule by the people, for the people and of the people is ensured. The criminalisation of politics continues to be one of the most alarming and persistent issues in India's democratic setup. Despite decades of public discourse, recommendations by the Law Commission, and civil society advocacy, the presence of elected representatives with serious criminal charges remains widespread. As of 2024, data from the Association for Democratic Reforms (ADR) shows that nearly **43% of Members of Parliament (MPs)** face criminal cases, many involving grave offenses such as murder, rape, and corruption. This not only undermines the rule of law but also erodes public faith in democratic institutions.

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

Over the years, the **Supreme Court of India** has intervened multiple times to address this issue. Key rulings—such as **Public Interest Foundation v. Union of India (2018)** and later directives in **2020 and 2021**—mandated political parties to disclose the criminal background of their candidates and justify their selection. In 2023, the Court reiterated the need for decriminalisation, calling for a "zero tolerance" approach. However, despite these observations, the Court has refrained from issuing binding directions for disqualification or creating enforceable consequences, citing the separation of powers and the need for parliamentary action.

By 2025, it is evident that while the judiciary has recognized the gravity of the issue, its response has remained largely procedural and advisory. This paper critically examines whether the **Supreme Court missed a crucial opportunity** to take stronger action against the criminalisation of politics. It further explores the legal, institutional, and political barriers that have limited progress, and argues for urgent, comprehensive reforms through legislation, political accountability, and active civic engagement to safeguard India's democratic future.

**Different committees**

Committees and Commissions Addressing the Criminalisation of Politics

Over the years, multiple committees and commissions have explored the nexus between crime and politics in India, dedicating their expertise to proposing solutions. The first significant attempt occurred during Lal Bahadur Shastri's tenure as Home Minister, with the establishment of the Santham Committee in 1964. Although its focus was on corruption rather than specifically on the criminalisation of politics, it marked the beginning of official attention to this issue. However, its efforts did not lead to concrete actions targeting the criminalisation of politics.

In 1970, a Parliamentary Committee was formed to review electoral reforms, but its work was interrupted by the dissolution of the Lok Sabha. In 1974, the Tarkunde Committee was set up, though it failed to produce lasting results.

The Dinesh Goswami Committee in 1990 became one of the most important bodies in addressing electoral reforms. It not only recognised the growing connection between crime and politics but also proposed reforms to address the problem. Despite its significance, many of the committee's recommendations were not implemented. At this time, the link between politics and crime had become apparent, but many political figures continued to defend their lenient stance on the matter.

In 1993, the NN Vohra Committee highlighted the deep-rooted problem, revealing the extent of the relationship between criminal elements and politics. The committee reported that criminal groups were increasingly working alongside political forces, effectively creating a parallel "mafia" regime in both government and social sectors.

The Indrajit Gupta Committee (1998) focused on addressing the influence of money and muscle power in elections by proposing state funding for elections. Although Dr. Manmohan Singh, who later became Prime Minister, was part of the committee, the proposal was not pursued due to concerns about its feasibility and the lack of political will.

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

In 1999, the Law Commission Report No. 170 examined the need for electoral reforms and addressed the growing issue of criminalisation in politics. The report suggested several measures to curb this trend, but the issue remained largely unresolved. Similarly, in 2002, the National Commission to Review the Working of the Constitution addressed the problem and recommended barring individuals convicted of serious crimes from contesting elections. However, the recommendations were not adopted.

The Second Administrative Reforms Commission (2008) also tackled issues related to governance ethics, further emphasizing the importance of curbing the influence of criminal elements in politics.

In 2014, the Law Commission of India issued a report on "Electoral Disqualification", recommending stricter disqualification criteria for candidates with criminal backgrounds. The following year, in 2015, the Law Commission proposed additional "Electoral Reforms", underscoring the need to cleanse politics of criminal influence.

Despite the extensive research and recommendations from these various committees and commissions, the criminalisation of politics in India persists as a major issue. While some reforms have been put into place, many suggestions have yet to be fully implemented, leaving the relationship between crime and politics unresolved."

**Legal Status**

The issue of criminalisation in Indian politics has been a longstanding concern, prompting various legal interventions aimed at curbing the influence of criminal elements in the political sphere. As of April 2025, several significant legal developments have shaped the current landscape:

**1. Supreme Court Rulings:**

- **Lily Thomas v. Union of India (2013):** The Supreme Court ruled that any Member of Parliament or State Legislature convicted and sentenced to imprisonment for two years or more would be immediately disqualified from holding office, eliminating previous provisions that allowed a three-month grace period for appeals.
- **Public Interest Foundation v. Union of India (2018):** The Court mandated that political parties publish the criminal records of their candidates on their official websites, social media platforms, and in newspapers, aiming to inform voters about candidates' backgrounds.
- **Association for Democratic Reforms v. Union of India (2002):** This ruling required all election candidates to declare their criminal backgrounds and asset details, enhancing transparency in the electoral process.
- **Rambabu Singh Thakur v. Sunil Thakur (2019):** The Supreme Court directed political parties to disclose the criminal history of their candidates when filing nominations, reinforcing the push for transparency.

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

- **Recent Observations (February 2025):** The Supreme Court emphasized that criminalisation of politics is a significant issue, expressing concern over the legislature's inaction in addressing the problem. The Court is hearing a Public Interest Litigation seeking a lifetime ban for MPs and MLAs convicted of criminal offenses.

**2. Legislative Developments:**

- **Bharatiya Nyaya Sanhita (2023):** In December 2023, the Bharatiya Nyaya (Second) Sanhita Bill was passed, replacing the colonial-era sedition law (Section 124A of the Indian Penal Code) with provisions addressing treason. The new law focuses on actions threatening India's sovereignty and integrity, clarifying that criticism of the government does not constitute treason.
- **Reform of Criminal Laws (2023):** The government introduced comprehensive reforms to modernize criminal laws, including changes aimed at expediting trials for politicians facing criminal charges. However, the effectiveness of these reforms in reducing the criminalisation of politics remains a subject of debate.

**3. Pending Issues:**

Despite these legal measures, challenges persist in fully addressing the criminalisation of politics:

- **Delayed Trials:** A significant number of criminal cases against sitting and former legislators remain pending, with some cases dragging on for decades due to judicial delays and inadequate infrastructure.
- **Legislative Inaction:** There is a perceived reluctance within the legislative branch to enact stricter laws that would prevent individuals with criminal backgrounds from entering politics, limiting the impact of judicial directives.
- **Implementation Gaps:** While laws mandate the disclosure of criminal records by candidates, enforcement is inconsistent, and some political parties fail to comply with transparency requirements

Analysis of section 8 of Representation of People Act

The biggest drawback of this law is that this law activates when the person is convicted, and punishment is declared as mentioned earlier. The people who contest elections are resourceful. They are able to linger on the matter for years and decades. When a chargesheet is filed against ministers, the trial continues for years and years. The judicial process is tunnel of torture and bhulbhulaiya of law. The proviso to section 8 of RPA is more problematic and has been declared unconstitutional in the case of Lily Thomas v. Union of India.

This provision needs to be removed completely by the Parliament. As per section 8(4) if a person is already a member of a legislature when he is declared convicted, then the disqualification is still not applicable if his appeal is accepted in the high court. In other words, if a present member of the Parliament cannot be disqualified until he is convicted of certain offences which generally

Innovation and Integrative Research Center Journal
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Volume-3 | Issue-4 | April - 2025 | Page 715-727

takes many years. Even if he is convicted for a criminal offence, he cannot be disqualified. The only thing he is required to do is to appeal in the higher court against his conviction. His appeal will go from trial court to high court and then to the Supreme court. Meanwhile he can continue to remain as a member of Parliament or legislative assembly. Indeed, he can be a minister. If at the time of conviction, he is a candidate for election for MP and MLA his election is declared void.

**4. Relevant Decisions**

Criminalisation of politics has been addressed by the Supreme Court in a few decisions which are widely discussed by academia and media. It is desirable to highlight those cases which has skipped the attention but exhibit its significance for the issue being discussed. First significant case is Rakesh Singh v. Himachal Pradesh. 10 In June 1978 a murder was committed in Himachal Pradesh. The District and Sessions Judge has convicted Rakesh Singh for murder. After his conviction Rakesh Singh became the member of legislative assembly of Himachal Pradesh, but his election was declared cancelled. Had he been convicted for murder after winning the election for MLA, he could have continued as legislator. He could have continued till all his appeals from all courts were disposed of finally. One need not be a genius to understand the time it would have taken to decide the case conclusively. Rakesh Singh case was decided by the Supreme court in 1996 i.e., eighteen years after the incident of murder. Had Rakesh Singh been MLA prior to the judgement of the trial court, he could have been an MLA and would have decided the laws to be made for the public. He could have been a minister and a senior politician. Arun Shauri in his various articles have highlighted the problem. In such a situation it is essential that something should be done to check this unhealthy practice which has the potential to weaken democratic values. Those people against whom charges of three cases of heinous offences like murder, kidnapping, rape etc [where punishment is seven years or more] are framed by the court, ought to be stopped to contest elections. In ancient days the people expected the king to secure him from all types of menaces. However, the criminalisation of politics has posed a situation where certain politicians, MPs or MLAs have themselves become a menace to the democracy and the society. Though a number of committees and commissions were made to address the issue of criminalisation of politics and the political parties have also expressed its concerns, no concrete step has been taken either at the level of political parties or by the Parliament or the executive. Fortunately, in Lily Thomas, the Supreme court has addressed the concern as under: 19. 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 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 expresslimitations on such powers of the Parliament to defer the date on which the disqualifications would have effect. Accordingly, sub-section (4) of

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

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.

Over the years, the Supreme Court of India has played a significant role in addressing the issue of criminalisation of politics, primarily through landmark judgments aimed at increasing transparency and accountability in the electoral process. The journey began with the 2002 case of *Union of India v. Association for Democratic Reforms*, where the Court mandated that all candidates contesting elections must disclose their criminal, financial, and educational backgrounds. This decision laid the foundation for greater transparency and allowed voters to make informed choices.

A major breakthrough came in *Lily Thomas v. Union of India* (2013), where the Court ruled that any Member of Parliament (MP) or Member of Legislative Assembly (MLA) convicted of a criminal offence and sentenced to two years or more would be immediately disqualified from holding office. This landmark judgment struck down the previous provision that allowed convicted legislators to retain their seats by simply filing an appeal. That same year, in *People's Union for Civil Liberties (PUCL) v. Union of India*, the Court introduced the "None of the Above" (NOTA) option on Electronic Voting Machines (EVMs), empowering voters to reject all candidates if they found none suitable.

The 2018 judgment in *Public Interest Foundation v. Union of India* further expanded the Court's efforts by directing political parties to publish the criminal records of their candidates and express reasons for their selection. However, the Court refrained from disqualifying candidates with pending criminal cases, citing the separation of powers and emphasizing that such decisions should be made by Parliament. In *Rambabu Singh Thakur v. Sunil Arora & Others* (2020), the Court mandated that political parties not only disclose the criminal antecedents of candidates but also provide justifications for nominating individuals with such backgrounds, and publicize this information widely across media platforms.

More recently, the Supreme Court has been hearing a Public Interest Litigation (PIL) filed by advocate Ashwini Kumar Upadhyay, which seeks a lifetime ban on convicted legislators. As of February 2025, the Court acknowledged that the criminalisation of politics remains a "very major issue," but has yet to issue a conclusive ruling. While the Court has taken several progressive steps to push for cleaner politics, its reluctance to impose stricter disqualification norms has led many to argue that it has missed key opportunities to bring about deeper reform.

**Manoj Narula case**

Criminalisation of politics at a higher level was raised in the case of Manoj Narula v. Union of India. When a person becomes Prime Minister or the Chief Minister he chooses his ministers. The Union council of ministers (on March 24, 2006 when the petition came for hearing)

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

consisted of ministers who were suspected in serious and heinous crimes. According to article 75 (1) of the Constitution of India, "The Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister." It was found that persons with heinous criminal cases have been chosen as ministers by the PM because of political compulsions and electoral benefits. It was argued before the constitution bench of the Supreme Court that the Government ought to be directed not to make such persons as ministers. For this purpose, the Supreme Court should interpret article 75(1) as "ministers with no criminal background". It was also argued that there are implied limitations, and it is not constitutionally permitted to suggest the name of a person who is facing a criminal trial and in whose case charge/charges have been framed. Supportive argument to the above was that:
purposive interpretation of the Constitution ... can preserve, protect and defend the Constitution regardless of the political impact. ...if a constitutional provision is silent on a particular subject, this Court can necessarily issue directions or orders by interpretative process to fill up the vacuum or void till the law is suitably enacted. The broad purpose and the general scheme of every provision of the Constitution has to be interpreted, regard being had to the history, objects and result which it seeks to achieve. However, the Supreme Court declined to interpret it in this manner. The court rejected the argument of purposive interpretation, doctrine of implied limitation and principle of constitutional silence. The counter argument was to decline the idea on the basis that in foreign jurisdiction there are express provisions for it. The relevant passage is as under: Mr. Andhyarujina has further submitted that section 44(4)(ii) of the Australian Constitution puts a limitation on the member of the House which travels beyond conviction in a criminal case, for the said provision provides that any person who has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer, would be incapable of being chosen or of sitting as a senator or a member of the House of Representatives. Learned counsel has commended us to Lane's Commentary on the Australian Constitution, 1986 to highlight that this is an exceptional provision in a Constitution which disqualifies a person from being a Member of Parliament even if he is not convicted but likely to be subject to a sentence for the prescribed offence, but in the absence of such a provision in our Constitution or in law made by the Parliament, the Court cannot introduce such an aspect on the bedrock of propriety. The position in Britain was narrated as under U.K. Representation of Peoples Act, 1981 which provides that a person who is sentenced or ordered to be imprisoned or detained indefinitely or for more than one year is disqualified and his election is rendered void and the seat of such a member is vacated. The Supreme Court examined these arguments and counter arguments. It addressed this issue as under: ..we are of the convinced opinion that when there is no disqualification for a person against whom charges have been framed in respect of heinous or serious offences or offences relating to corruption to contest the election, by interpretative process, it is difficult to read the prohibition into article 75(1) or, for that matter, into article 164(1) to the powers of the Prime Minister or the Chief Minister in such a manner. That would

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

come within the criterion of eligibility and would amount to prescribing an eligibility qualification and adding a disqualification which has not been stipulated in the Constitution. In the absence of any constitutional prohibition or statutory embargo, such disqualification, in our considered opinion, cannot be read into article 75(1) or article 164(1) of the Constitution. [Emphasis Added] On the point of the principle of constitutional silence or abeyance(when the constitution is silent the court may interpret) the constitution bench acknowledged the significance as under:

The next principle that can be thought of is constitutional silence or silence of the Constitution or constitutional abeyance. The said principle is a progressive one and is applied as a recognized advanced constitutional practice. It has been recognized by the Court to fill up the gaps in respect of certain areas in the interest of justice and larger public interest. The court, however, declined to apply this principle as under: The question that is to be posed here is whether taking recourse to this doctrine for the purpose of advancing constitutional culture, can a court read a disqualification to the already expressed disqualifications provided under the Constitution and the 1951 Act. The answer has to be in the inevitable negative, for there are express provisions stating the disqualifications and second, it would be tantamount to crossing the boundaries of judicial review.

**Conclusion and Suggestions**

The Manoj Narula case was an opportunity for the Supreme Court to check criminalisation of politics. It is basically the constitutional business of the legislature to make necessary changes in law. However, the Parliament did nothing to check the menace of criminalisation of politics which is against rule of law, democratic values, and probity in public life. In such a situation it was the responsibility of the Supreme Court to take charge of the situation as the other wings of the State i.e., legislature and executives are not interested to address the menace. A number of reports have suggested modifications in the Representation of People Act, 1951 especially section 8. But the Parliament remained unmoved. It was the Lily Thomas case which declared section 8(4) as unconstitutional. The same approach was not followed in the Manoj Narula case. Unlike these two wings (legislature and executive) it is the Supreme Court which is the guardian of the Constitution. It is obliged to act as the carrier of the intention of the architects of the Constitution. The architects never thought that the people with murder and rape charges would be minister at union and state level. The intention of the architect of the constitution can be traced from the speech of Dr Rajendra Prasad on November 26, 1949 that "If the people who are elected are capable and men of character and integrity, then 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."24 2014 onwards has witnessed a sea change in the policy of the government. The NDA government has taken unprecedented decisions for the better interest of India. It has also exhibited its commitment towards the policy of zero tolerance against crime at higher level and corruption. Hope that electoral reforms in the form of decriminalisation of politics as suggested by various

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

committees will take a kick start. If the reforms are not taken up, it will be an open invitation to the judiciary to pass judicial legislation

To effectively tackle the issue of criminalisation in Indian politics, a comprehensive and collaborative approach involving all branches of governance is necessary. One of the most critical steps would be for Parliament to enact a law that disqualifies candidates from contesting elections once serious criminal charges are framed by a court, particularly for offenses punishable by five years or more. Such a law would prevent individuals facing grave allegations from entering the electoral process and using political power to influence investigations or delay trials.

Additionally, the establishment of special fast-track courts dedicated to handling criminal cases involving politicians is essential. Trials should be concluded within a strict time frame—ideally within one year—to ensure that justice is delivered promptly and does not remain pending for the duration of a legislator's term. Alongside judicial reforms, the Election Commission of India should be empowered with more stringent enforcement mechanisms. This includes taking punitive action against political parties that fail to disclose candidates' criminal records or do not adequately justify the selection of such individuals.

Political parties, too, must shoulder responsibility. They should adopt internal codes of ethics and voluntarily avoid nominating candidates with serious criminal backgrounds. Legislation could also make it mandatory for parties to provide written, reasoned justifications for choosing such candidates and ensure that these explanations are accessible to the public through media and digital platforms. Moreover, there is a strong case for introducing a lifetime ban on politicians convicted of serious crimes—on par with the disqualification imposed on civil servants and judges—to ensure equality before the law and uphold the sanctity of public office.

Equally important is the need to enhance voter awareness and civic engagement. Voter education campaigns, especially in rural and underserved areas, can help citizens make informed choices and reject candidates with criminal histories. Civil society organizations and the media must actively participate in highlighting these issues and mobilizing public opinion. Finally, the formation of a permanent, independent institution to monitor and report on criminal cases involving politicians could significantly improve transparency and ensure ongoing pressure on parties and the judiciary to act responsibly.

In sum, while the Supreme Court has played a pivotal role in bringing attention to the problem, lasting reform will require coordinated legislative action, institutional accountability, and an informed, active electorate.

**Footnotes**

1. Association for Democratic Reforms v. Union of India, (2002) 5 SCC 294.
2. Lily Thomas v. Union of India, (2013) 7 SCC 653.
3. People's Union for Civil Liberties v. Union of India, (2013) 10 SCC 1.
4. Public Interest Foundation v. Union of India, (2019) 3 SCC 224.

5. Rambabu Singh Thakur v. Sunil Arora & Others, (2020) 3 SCC 733.
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8. Law Commission of India, 244th Report on "Electoral Disqualifications", February 2014.
9. Election Commission of India, "Guidelines on Disclosure of Criminal Background of Candidates", Press Note, 2020.
10. Supreme Court of India, Observation during PIL Hearing on Lifetime Ban for Convicted Politicians, February 2025, as reported by *The New Indian Express*.
11. Ministry of Law and Justice, *Bharatiya Nyaya Sanhita, 2023*, replacing sections of the IPC including sedition.
12. Dr. S.Y. Quraishi, *An Undocumented Wonder: The Making of the Great Indian Election*, Rupa Publications, 2014.
13. The Times of India, "SC Calls for Fast-Track Courts for Cases Against Politicians", March 2021.
14. The Hindu, "Criminalisation of Politics: No Political Will to Reform?", Editorial, July 2022.
15. Law Commission of India, 170th Report on Reform of the Electoral Laws, 1999.

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17. Association for Democratic Reforms v. Union of India, (2002) 5 SCC 294.
18. Lily Thomas v. Union of India, (2013) 7 SCC 653.
19. People's Union for Civil Liberties v. Union of India, (2013) 10 SCC 1.
20. Public Interest Foundation v. Union of India, (2019) 3 SCC 224.
21. Rambabu Singh Thakur v. Sunil Arora & Others, (2020) 3 SCC 733.
22. Ashwini Kumar Upadhyay v. Union of India & Ors., Writ Petition (Civil) No. 699 of 2016.
23. The Association for Democratic Reforms (ADR), "Analysis of Criminal Background of MPs & MLAs", 2024. Available at: www.adrindia.org.
24. Law Commission of India, *244th Report on Electoral Disqualifications*, February 2014.
25. Election Commission of India, "Guidelines on Disclosure of Criminal Background of Candidates", Press Note, 2020.
26. Supreme Court of India, Observation during PIL Hearing on Lifetime Ban for Convicted Politicians, February 2025, as reported by *The New Indian Express*.
27. Ministry of Law and Justice, *Bharatiya Nyaya Sanhita, 2023*, replacing sections of the IPC, including sedition.
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Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

29. The Times of India, "SC Calls for Fast-Track Courts for Cases Against Politicians", March 2021.
30. The Hindu, "Criminalisation of Politics: No Political Will to Reform?", Editorial, July 2022.
31. Law Commission of India, *170th Report on Reform of the Electoral Laws*, 1999

**Appendix:**

Appendix A: Statistical Data on Criminalisation of Politics

1. Criminal Background of Current Indian Legislators (2024)
    - % of MPs with criminal cases: According to the Association for Democratic Reforms (ADR), 43% of sitting MPs have declared criminal charges, including those related to serious offenses like murder, rape, and corruption.
    - State Legislature Data: Approximately 30% of sitting MLAs face criminal charges, with the percentage increasing in several states.
    - Growth in Criminal Cases: Over the last decade, the percentage of candidates with criminal backgrounds contesting elections has steadily increased.

    Source: Association for Democratic Reforms (ADR), 2024.

Appendix B: Timeline of Key Supreme Court Judgments on Criminalisation

| Year | Case/Decision | Key Outcome |
|---|---|---|
| 2002 | *Association for Democratic Reforms v. Union of India* | Required candidates to disclose criminal, financial, and educational backgrounds. |
| 2013 | *Lily Thomas v. Union of India* | Convicted legislators disqualified from office immediately (over two-year sentences). |
| 2013 | *People's Union for Civil Liberties (PUCL) v. Union of India* | Introduced the "None of the Above" (NOTA) option in EVMs for rejecting candidates. |
| 2018 | *Public Interest Foundation v. Union of India* | Political parties mandated to disclose criminal records of candidates. |
| 2020 | *Rambabu Singh Thakur v. Sunil Arora* | Political parties must justify why they nominate candidates with criminal backgrounds. |
| 2025 | *Ashwini Kumar Upadhyay PIL* | Ongoing case discussing lifetime bans for convicted legislators. |

Appendix C: Key Recommendations from the Law Commission of India

1. 244th Report on Electoral Disqualifications (2014)
    - The Law Commission recommended a review of existing disqualification laws and suggested that candidates facing serious criminal charges should be disqualified at the stage of framing of charges.
2. 170th Report on Reform of Electoral Laws (1999)
    - Focused on enhancing transparency in elections, including the requirement for candidates to disclose their criminal history and assets.

Appendix D: Sample Disclosures of Criminal Backgrounds by Candidates (2019-2024)

Below is a sample of how political parties and candidates have been required to disclose criminal backgrounds as per the Supreme Court directives:

Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

| Candidate Name | Political Party | Criminal Charges | Consequence |
|---|---|---|---|
| X | Party A | Attempted Murder, Corruption | Ongoing Case |
| Y | Party B | Murder, Extortion | Convicted (Appeal Pending) |
| Z | Party C | Rape, Assault | Acquitted |

Appendix E: Voter Education Campaign Materials

1. Voter Information Leaflets (2019): A series of leaflets distributed by civil society organizations outlining the importance of checking candidates' criminal backgrounds before voting.
2. Digital Campaigns (2022-2025): Various social media campaigns run by organizations such as ADR, seeking to educate voters on the criminal background of politicians and the NOTA option.

| Jurisdiction | Law / Regulation | Relevant Sections | Focus Area |
|---|---|---|---|
| India | Companies Act, 2013 | Sections 149–172 | Directors' duties & board governance |
| India | Companies Act, 2013 | Section 135 & Schedule VII | Corporate Social Responsibility |
| UK | Companies Act, 2006 | Sections 171–177 | General duties of directors |
| USA | Sarbanes-Oxley Act, 2002 | Various sections | Corporate accountability, audit, and fraud prevention |

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Innovation and Integrative Research Center Journal
ISSN: 2584-1491 | www.iircj.org
Volume-3 | Issue-4 | April - 2025 | Page 715-727

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4. 170th Report on Reform of Electoral Laws (1999)
    - Focused on enhancing transparency in elections, including the requirement for candidates to disclose their criminal history and assets.

Appendix D: Sample Disclosures of Criminal Backgrounds by Candidates (2019-2024)

Below is a sample of how political parties and candidates have been required to disclose criminal backgrounds as per the Supreme Court directives:

| Candidate Name | Political Party | Criminal Charges | Consequence |
|---|---|---|---|
| X | Party A | Attempted Murder, Corruption | Ongoing Case |
| Y | Party B | Murder, Extortion | Convicted (Appeal Pending) |
| Z | Party C | Rape, Assault | Acquitted |

Appendix E: Voter Education Campaign Materials

3. Voter Information Leaflets (2019):
   A series of leaflets distributed by civil society organizations outlining the importance of checking candidates' criminal backgrounds before voting.
4. Digital Campaigns (2022-2025):
   Various social media campaigns run by organizations such as ADR, seeking to educate voters on the criminal background of politicians and the NOTA option.