

LOK SABHA

BULLETIN-PART II

(General Information relating to Parliamentary and other matters)

Nos. 7785- 7787]

[Thursday, 11 January, 2024/ Pausha 21, 1945 (Saka)

No. 7785

Table Office (B)

Membership of Shri Afzal Ansari, MP

Shri Afzal Ansari, who was a sitting Member of Lok Sabha representing the Ghazipur Parliamentary Constituency of Uttar Pradesh was convicted and sentenced to imprisonment four years and fine of Rs. 1,00,000/- (One Lac only) by the Additional Sessions Judge, MP/MLA Court, Ghazipur, Uttar Pradesh *vide* its Order dated 29.04.2023 passed in the matter of ***State of Uttar Pradesh v. Afzal Ansari*** (Special Trial/980/2012). Consequent upon his conviction and sentencing, he was disqualified from the membership of Seventeenth Lok Sabha from the date of his conviction, i.e., 29.04.2023 in terms of provisions of Article 102(1)(e) of the Constitution of India read with Section 8 of the Representation of People's Act, 1951 and the same was published in the Gazette of India Extraordinary, Part-II, Section 3(ii) dated 01.05.2023 *vide* Notification No. 21/4(6)/2023/TO(B).

2. On an appeal filed by Shri Afzal Ansari, MP against the said order dated 29.04.2023, the Supreme Court of India has *inter alia* passed the following order on 14.12.2023 in the Criminal Appeal No. 3838 of 2023 {Arising out of Special Leave to Appeal (Crl.) No. 11129 of 2023}, in the matter of ***Afzal Ansari v. State of UP.***:

“24. We, thus, deem it appropriate to partially allow this appeal and suspend the conviction awarded to the Appellant in Special Sessions Trial No. 980/2012 subject to the following conditions, clarifications and directions:

- i. The Ghazipur Parliamentary Constituency shall not be notified for bye-election, in terms of Section 151 of the RPA, till the decision of the Appellant's criminal appeal by the High Court;*
- ii. The Appellant shall, however, not be entitled to participate in the proceedings of the House. He shall also not have the right to cast his vote in the House or to draw any perks or monetary benefits;*
- iii. The continuance of MP led welfare schemes in the Ghazipur Parliamentary Constituency without the Appellant being associated for the release of grants for such schemes is not an irrevocable consequence as all such Schemes can be given effect, even in the absence of the local parliamentary representative;*
- iv. The Appellant shall not be disqualified to contest future election(s) during the pendency of his criminal appeal before the High Court and if he is elected, such election will be subject to outcome of the First Criminal Appeal; and*
- v. The High Court shall make an endeavour to decide the Appellant's criminal appeal expeditiously and before 30.06.2024.”*

3. In view of order dated 14.12.2023 of the Supreme Court of India, the disqualification of Shri Afzal Ansari, notified *vide* Gazette Notification no. 21/4(6)/2023/TO(B) dated the 1st May, 2023 in terms of the provisions of Article 102(1)(e) of the Constitution of India read with Section 8 of the Representation of the People Act, 1951, has ceased to operate subject to further judicial pronouncements and conditions mentioned in order dated 14.12.2023.

No. 7786

Committee Branch- I

Nomination to the Committee

The Speaker, Lok Sabha has nominated Smt. Mala Rajya Laxmi Shah, Member, Lok Sabha to the Committee on Empowerment of Women.
