

ITEM NO.41

COURT NO.3

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).3549/2016

(Arising out of impugned final judgment and order dated 12-02-2015 in CP No.100889/2014 passed by the High Court of Karnataka Circuit Bench at Dharwad)

THE STATE OF KARNATAKA &amp; ANR.

Petitioner(s)

VERSUS

PRATHIK PARASRAMPURIA

Respondent(s)

(MR. B.V BALRAM DAS, ADV, MR. AMIT SHARMA, ADV AND MR. ARPUTHAM ARUNA AND CO.)

Date : 10-05-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr.Devadatt Kamat, AAG  
Mr.Joseph Aristotle S., AOR  
Mrs.Priya Aristotle, Adv.  
Mr.Rajesh Inamdar, Adv.  
Mr.Javedur Rehman, Adv.  
Mr.Aditya Bhat, Adv.  
Mr.Shiva P., Adv.

For Respondent(s)  
For ECI Mr.Rakesh Dwivedi, Sr.Adv.  
Mr.Amit Sharma, Adv.  
Mr.Dipesh Sinha, Adv.  
Mr.Prateek Kumar, Adv.  
Mr.Neelesh Singh Rao, Adv.  
Mr.Eklavya Dwivedi, Adv.

For UOI Mr.R.Balasubramanian, Sr.Adv.  
Mr.Bharat Singh, Adv.  
Mr.Praneet Pranav, Adv.  
Mr.Arvind Kumar Sharma, Adv.  
  
Mr.V.Shyamohan, AOR

For State of  
Mizoram Mr.Siddhesh Kotwal, Adv.  
Ms.Bansuri Swaraj, Adv.  
Mr.Gagan Narang, Adv.  
Ms.Arshiya Ghose, Adv.

For State of Nagaland	Mrs.K.Enatoli Sema, Adv. Mr.Amit Kumar Singh, Adv.
For State of Tripura	Mr.Shuvodeep Roy, Adv.
For State of Assam	Mr.Shuvodeep Roy, Adv.
For State of Jharkhand	Mr.Tapesh Kumar Singh, Adv. Mr.Aditya N.Das, Adv. Mr.Aditya Pratap Singh, Adv.
For A&N Admn.	Mr.Jagdishvaran, Adv. Ms.G.Indira, Adv.
For Govt. of Puducherry	Mr.V.G.Pragasam, Adv. Mr.S.Prabu Ramasubramanian, Adv. Mr.S.Manuraj, Adv.
For State of Tamil Nadu	Mr.M.Yogesh Kanna, Adv. Mr.S.Parthasarathi, Adv. Mr.S.Rajarajeshwaran, Adv.
For State of Meghalaya	Mr.Ranjan Mukherjee, Adv. Mr.K.V.Kharlyngdoh, Adv. Mr.Daniel Stone Lyngdoh, Adv. Mr.Upendra Mishra, Adv.
For State of Pb.	Mr.Karan Bharihoke, Adv. Mr.B.D.Das, Adv. Mr.Kaushal Narayan Mishra, Adv. Mr.Siddhant Sharma, Adv. Ms.Navkiran Bolay, Adv.
For State of West Bengal	Mr.Suhaan Mukerji, Adv. Ms.Astha Sharma, Adv. Mr.Amit Verma, Adv. Ms.Kajal Dalal, Adv. Mr.Prastut Dalvi, Adv. Ms.Dimple Nagpal, Adv. For PLR Chambers & Co., Adv.
For State of Sikkim	Mr.A.Mariarputham, Adv.Genl. Ms.Aruna Mathur, Adv. Mr.Avneesh Arputham, Adv. Ms.Anuradha Arputham, Adv. Ms.Geetanjali, Adv.  Ms.Pruna Singh, Adv. Mr.Guntur Prabhakar, Adv. Mr.Prashant Mathur, Adv.

Ms.Swarupama Chaturvedi, Adv.  
Mr.Nagendra Singh, Adv.

Mr.Kuriakose Varghese, Adv.  
Mr.Surya Prakash, Adv.  
Ms.Piyusha Singh, Adv.  
Ms.Parnita Agal, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Heard learned counsel for the parties.

The affidavit filed by the Union of India (Central Board of Direct Taxes) does not provide us with the requisite information that we sought for, regarding the issue of preventing black money in the election process.

It has been brought to our notice by the learned senior counsel appearing on behalf of the Election Commission of India that on 7<sup>th</sup> April, 2019, a letter was sent to the Ministry of Finance wherein it was stated that the Election Commission of India has to be intimated pursuant to conduct of raids. However, no reply has been received so far from the Ministry of Finance. Learned senior counsel also suggested that some guidelines should be framed to ensure fair election and to prevent the use of black money in the election process.

Learned senior counsel appearing on behalf of the Union of India submits that they have prepared a scheme for collecting data about the prosecution, raids conducted and seizure of money during parliamentary elections. However, no material has been placed before us in furtherance of the same. In the absence of the such material, we are not able to comment on the scheme which they have prepared.

Taking into consideration all this, we direct the Registry to list the matter in the last week of August for further hearing and to pass directions in the matter.

Mr. Ranjan Mukherjee, learned counsel appearing on behalf of the State of Meghalaya is permitted to file their counter affidavit during the course of the day.

The States that have not filed their counter affidavits regarding violations of the Model Code of Conduct during the Lok Sabha Elections held in the year 2014 are directed to file the same within four weeks from today.

(SATISH KUMAR YADAV)  
AR-CUM-PS

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR