



PEOPLE'S UNION FOR CIVIL LIBERTIES (PUCL) V. UNION OF INDIA (2003)

Constitutional Interpretation & Basic Structure

PRELIMS SNAPSHOT

◆ 1. Prelims Snapshot (Fact Box)

- 📅 Year: 2003
- ⚖️ Case: PUCL v. Union of India
- 👤 Bench Strength: 3 Judges
- 📖 Key Articles Involved: Article 19(1)(a), Article 21
- 🧠 Doctrine Evolved: Right to know about electoral candidates is a Fundamental Right
- 💬 Famous Line: "The right to know is a natural consequence of the right to freedom of speech and expression."

CONTEXT & BACKGROUND

The case originated from a PIL filed by the People's Union for Civil Liberties (PUCL) demanding mandatory disclosure of information by electoral candidates. This included details of criminal background, assets and liabilities, and educational qualifications.



PUCL argued that informed voting is essential for democracy and that voters have a right to know whom they are voting for. Parliament had earlier passed the Representation of the People (Amendment) Ordinance, 2002, which sought to dilute this requirement. The case challenged the constitutional validity of this move.

CONSTITUTIONAL ISSUES RAISED

- Is the right to know about a candidate's background protected under Article 19(1)(a) (freedom of speech and expression)?
- Can the State withhold vital information from voters in the name of legislative power?
- Does limiting voter access to information violate Article 21 (right to make informed choices)?

VERDICT & RATIO DECIDENDI

The Supreme Court ruled in favour of PUCL and held that:

- Voters have a Fundamental Right to know the antecedents of electoral candidates
- This right flows from Article 19(1)(a), as freedom of speech and



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- expression includes the right to receive information
- The 2002 Ordinance passed by Parliament, which attempted to nullify disclosure requirements, was unconstitutional
- Democracy thrives on transparency, and informed citizenry is vital for free and fair elections

DOCTRINE / PRINCIPLE EVOLVED

- Right to know is a component of the freedom of expression
- Transparency in elections is necessary for meaningful participation in a democracy
- Legislative actions that weaken citizen empowerment are open to judicial scrutiny



IMPACT & LEGACY

- Made it mandatory for candidates to file affidavits declaring their:
 - Criminal history (if any)
 - Educational qualifications
 - Assets and liabilities
- Laid the foundation for electoral reforms and subsequent judgments, such as:
 - Lily Thomas v. Union of India (2013) – Disqualification of convicted MPs/MLAs
 - Union of India v. Association for Democratic Reforms (2002) – Reinforced voters' right to know
 - Empowered civil society and media to scrutinise candidates before elections



MAJOR SUPREME COURT JUDGEMENTS

RELEVANCE FOR UPSC

- GS Paper 2:
 - Electoral reforms, transparency, and voter rights
 - Role of judiciary in strengthening democracy
- GS Paper 4 (Ethics):
 - Accountability, transparency, moral leadership
- Essay Paper:
 - Topics like Strengthening Indian Democracy, Informed Citizenship, Transparency in Governance
- UPSC Interview:
- Useful in discussions on criminalisation of politics, electoral disclosures, and voter empowerment

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