



November 2, 2020

Shri Ashwini Kumar Upadhyay
Advocate
15, M.C. Setalvad Chambers
Supreme Court of India
New Delhi-110001

Dear Shri Upadhyay,

Sub: Your request for consent to initiate proceedings for criminal contempt under Section 15 of the Contempt of Courts Act, 1971 read with Rule 3(c) of the Rules to Regulate Proceedings for Contempt of the Supreme Court of India, 1975

I am in receipt of your request for consent to initiate proceedings for criminal contempt against Sh. Y.S. Jaganmohan Reddy, present Chief Minister of Andhra Pradesh and Sh. Ajeya Kallam, Principal Advisor to the Chief Minister.

I have carefully gone through the contents of your petition. I find that the objectionable statements have been made in a letter dated 06.10.2020 written by the Chief Minister to the Chief Justice of India, Hon'ble Mr. Justice S.A. Bobde. This letter was then released to the press by Sh. Ajeya Kallam, Principal Advisor to the Chief Minister at a press conference on 10.10.2020. The Chief Justice is therefore well aware of the nature of the allegations contained in the said letter.

I am of the opinion that the timing itself of the letter, as well as its being placed in the public domain through a press conference could certainly be said to be suspect, in the background of the order passed by Justice Ramana dated 16.09.2020, directing pending prosecutions of elected representatives to be taken up and disposed of expeditiously. As you yourself have pointed out, there are 31 criminal cases pending against the Chief Minister.

In this background, *prima facie*, the conduct of the said persons is contumacious. However, what has to be noted is, that the entire case of contempt arises out of the letter dated 6.10.2020 written by the Chief Minister directly to the Chief Justice of India and the subsequent press conference held by Sh. Kallam. The Chief Justice of India is therefore seized of the matter. Hence it would not be appropriate for me to deal with the matter.

For these reasons, I decline consent to initiate proceedings for criminal contempt of the Supreme Court of India.

Your sincerely,

K.K. Venugopal
Attorney General For India