How Political Parties are Registered in India

What is the issue?

Former Punjab chief minister Captain Amarinder Singh announced that he will be forming his own political party in Punjab which will be registered with the Election commission.

What is the procedure for registering political parties?

- **Article 324** of the Indian Constitution and **Section 29A of the Representation of the People Act, 1951** has conferred power to the Election Commission to prescribe guidelines for registration of parties.
- Election Commission has provided that any party seeking registration has to submit an application to the Commission within a period of 30 days following the date of its formation.
- The applicant has to publish a proposed party name in two national daily newspapers and two local daily newspapers.
- The notice for publication is also displayed on the website of the Election Commission.
- An application for registration has to be sent to the Secretary to the Election Commission within 30 days following the date of formation of the party in the prescribed format.
- The application must be accompanied by a demand draft for Rs.10,000, printed copy of the memorandum, rules and regulations or constitution of the party.
- It also needs to have the latest electoral rolls in respect of at least 100 members of the party to show that they are registered electors.
- The application would also need an affidavit duty signed by the President or General Secretary of the party and sworn before a First Class Magistrate/Oath Commissioner)/ Notary Public.
- Individual affidavits from at least 100 members of the party would also be needed to ensure that they are not a member of any other political party registered with the Commission.

What is the significance of registering parties with the EC?

- It is **not mandatory** to register with the Election Commission
- Registering a political party with the EC has its advantage under the provisions of the Representation of the People Act, 1951.
- The candidates of the registered political party will get preference in the matter of allotment of free symbols over independent candidates.
- These registered political parties can get recognition as a 'state party' or a 'national party' subject to the fulfilment of the conditions prescribed in the **Election Symbols (Reservation and Allotment) Order, 1968.**

How EC recognises a political party as a state or national party?

- Several conditions are followed by the Election Commission to recognise the parties as a state or national party.
- **State Party –** The registered party has to satisfy any of the 5 conditions.

1. Secure at least 6% of the valid vote & win at least 2 seats in an Assembly General Election
2. Secure at least 6% of the valid vote & win at least 1 seats in a Lok Sabha General Election
3. Win at least 3% of the seats or at least 3 seats , whichever is more, in an Assembly General Election
4. Win at least 1 out of every 25 seats from a state in a Lok Sabha General Election
5. Secure at least 8% of the total valid vote in an Assembly or a Lok Sabha General Election

- **National Party -** The registered party has to satisfy any of the 3 conditions.

1. Secure at least 6% of the valid vote in an Assembly or a Lok Sabha General Election in any four or more states and won at least 4 seats in a Lok Sabha General Election from any State or States
2. Win at least 2% of the total Lok Sabha seats in a Lok Sabha General Election and these seats have to be won from at least 3 states
3. The party is recognized as a State Party in at least four states

- These conditions have to be fulfilled by the parties before every Lok Sabha and Assembly elections to make sure they don't lose their status**.**

*As on 2019, India had **seven** national parties (All India Trinamool Congress, Bahujan Samaj Party, Bharatiya Janata Party, Communist*

Party of India, Communist Party of India (Marxist), Indian National Congress and Nationalist Congress Party)

There are over 60 regional parties and more than 2,000 registered but unrecognised parties in the country.

What are the perks of recognition as a state or national party?

- A party recognized as a state party gets a reserved symbol within the state wheareas for a national party, the reserved symbol can be used across the country by its contesting candidates.
- Such parties need only one proposer for filing the nomination.
- They are also entitled for two sets of electoral rolls free of cost.
- They are entitled to broadcast/telecast facilities over state-owned Akashvani/Doordarshan during the general elections.
- There are also other advantages to the recognized parties like subsidized land for party offices,etc.

References

1. https://indianexpress.com/article/explained/how-political-parties-are-registered-in-india-7595772/
2. https://factly.in/political-party-recognized-national-state-party/

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