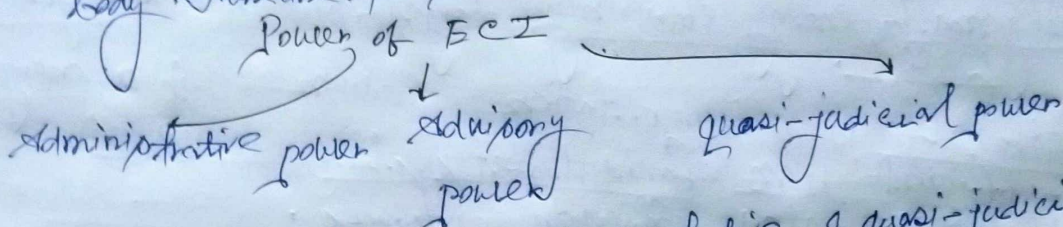


(9)-(10) Considering the issues in the political parties, administrative orders of election commission of India greatly possess capacity to find better solution. Examine (200 words).

→ Instructions

Election Commission of India is one of the few constitutional authorities, acts as an autonomous body. What are the several functions?



On the basis of the powers, Administrative & quasi-judicial power empower ECI to examine the issues/matters of any political party & refer its own decision.

Power of ECI, regarding to the political parties issues & the decision-making powers by ECI in that cases;

The exercise of powers conferred by Article 324 of the constitution Section 29A of the Representation of the people act, 1951 & the rules of 5410 of the conduct of Elections & all the powers, enabling it in this behalf, ECI possess its powers, regarding to the issues of political parties;

(i) By Reservations & allotment order of election symbols, 1968, ECI can provide the conditions & the necessary circumstances as a national party and for a state party symbols to the parties in order to make the specification, reservation, choice & allotment of symbols in the parliamentary and the assembly constituencies.

(ii) As well as, ECI can make the restriction on the allotment of the symbols reserved for the state parties in state, where such parties are not recognized.

(iii) ECI can raise the concessions to the candidates set up by or registered, ~~unorganized~~ party, which has been unrecognized.

recognized as in earlier days (more than 6 years back) as a national or state party.

(iv) power of the EEI in relation to split any recognized political party:

When the commission is satisfied on the information in its possession that, there are some rival groups, which have been created in the recognized party & they are demanding for new party - then on the basis of available facts & circumstances of the rival sections & as well as from the opinion bases of recognized party, EEI can make its decision, which shall be binding on all such rival sections/groups.

(v) Where having a power of EEI in case of amalgamation of two or more political parties.

(vi) EEI has the power to suspend or withdraw recognition of a recognized political party for its failure to observe the Model code of conduct or follow the lawful directions & the instructions of the commission.
cont cases & controversies related to the paragraph 15 of the SYMBOLS ORDER, 1968;

(i) CPI split:

As a national party, prior to the 1968 order, CPI(M) got the recognition by EEI as it secured 4% & more than 4% in 3 states (WB, AP, Kerala) in 1961 on the basis of ideologies of Soviet Union & China.

(ii) INC split:

Fallout between 'syndicate' & 'Indira' faction in 1969 led to expelling of Indira Gandhi, & old symbol was given to the old party by EEI - while Indira Gandhi had to contest with new symbol.

(iii) AZDMK split:

In some situation, where there was no division of rules, e.g.; AZDMK split, 1987 - after the death of MGR, his wife enjoyed the support of majority of MP/MLA while Jayalalita enjoyed the support of majority of party workers & leaders however the agreement was reached before EEI decision.