



## Registered Unrecognized Political Parties

**For Prelims:** Election Commission of India, Recognised Political Party, Registered Unrecognised Political Party, Representation of the People Act 1951, Symbol Order 1968

**For Mains:** Regulation of Political Parties, Roles and Responsibilities of Election Commission of India, Significance of the Representation of People Act

### Why in News?

[The Election Commission of India](#) has delisted 86 non-existent **Registered Unrecognized Political Parties** (RUPP) and declared additional 253 as '**Inactive RUPPs**'.

### What do we need to know about the Delisting by ECI?

- **Declared Inactive:**
  - 253 RUPPs have **not responded to the letter/notice delivered to them** and have **not contested a single election** either to the **General Assembly of a State** or the [Parliament Election](#) of 2014 & 2019.
  - As per **Section 29A of the [Representation of People Act 1951](#)**, every political party has to communicate any change in its **name, head office, office bearers, address, PAN** to the Commission without delay.
- **Delisted:**
  - 86 RUPPs have been found to be **non-existent** either after a **physical verification carried out by the Chief Electoral Officers** of concerned States/UTs or based on a **report of undelivered letters/notices** from Postal Authority sent to the registered address of concerned RUPP.
    - Additionally, they would not be entitled to have **benefits under the Symbols Order, 1968**.

### What are the Key Points related to the Political Parties?

- **Registered Unrecognised Political Parties (RUPP):**
  - **About:**
    - Either **newly registered parties** or those which have **not secured enough percentage of votes** in the assembly or general elections to **become a state party**, or those which have **never contested elections** since being registered are considered unrecognised parties.
    - Such parties **don't enjoy all the benefits** extended to the recognised parties.
  - **Symbol Allocation:**
    - Common symbols are provided to RUPP under **Symbols Order, 1968**.
    - Privilege of a common symbol is given to RUPP based upon an undertaking for **putting up at least 5% of total candidates with regard to said legislative assembly election of a State**.
    - Possibility of such parties occupying the available pre-election political space by

taking benefits of admissible entitlements without contesting elections **cannot be ruled out.**

- This also tends to crowd out the political parties actually contesting elections and also creating confusing situations for the voters.

▪ **Recognised Political Party:**

- A recognised political party shall **either be a National party or a State party** if it meets certain laid down conditions.
- To become a recognised political party either at the state or national level, a party has to **secure a certain minimum percentage of polled valid votes** or a certain **number of seats in the state legislative assembly or the Lok Sabha** during the last election.
- The recognition granted by the Commission to the parties determines their right to certain privileges like **allocation of the party symbols, provision of time for political broadcasts on the state-owned television and radio stations and access to electoral rolls.**

<b>What are the Conditions for Recognition of Political Parties?</b>	
<b>Conditions For Recognition of National Parties</b>	<b>Conditions for Recognition as a State Party</b>
<ul style="list-style-type: none"> <li>▪ A party is recognised as a national party if any of the following conditions is fulfilled:               <ul style="list-style-type: none"> <li>◦ If it secures <b>6% of valid votes polled in any four or more states</b> at a general election to the Lok Sabha or to the legislative assembly and in addition, it <b>wins four seats</b> in the Lok Sabha from any state or states, or</li> <li>◦ If it wins <b>2% of seats in the Lok Sabha</b> at a general election and these candidates <b>are elected from three states, or</b></li> <li>◦ If it is <b>recognised as a state party in four states.</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ A party is recognised as a state party in a state if any of the following conditions is fulfilled:               <ul style="list-style-type: none"> <li>◦ If it secures <b>6% of the valid votes polled in the state</b> at a general election to the legislative assembly of the state concerned and in addition, it <b>wins 2 seats in the assembly of the state concerned or</b></li> <li>◦ If it secures <b>6% of the valid votes polled in the state</b> at a general election to the <b>Lok Sabha from the state</b> concerned and in addition, it wins <b>1 seat in the Lok Sabha</b> from the state concerned or</li> <li>◦ If it wins <b>3% of seats in the legislative assembly</b> at a general election to the legislative assembly of the state concerned or <b>3 seats in the assembly</b>, whichever is more or</li> <li>◦ If it wins <b>1 seat in the Lok Sabha for every 25 seats</b> or any fraction thereof allotted to the state at a general election to the Lok Sabha from the state concerned or</li> <li>◦ If it secures <b>8% of the total valid votes polled</b> in the state at a General Election to the Lok Sabha from the state or to the <b>legislative assembly of the state. This condition was added in 2011.</b></li> </ul> </li> </ul>

## What Powers does Symbol's Order 1968 provide to ECI?

- Under **Paragraph 15 of the Order**, EC can **decide disputes** among rival groups or sections of a recognised political party **staking claim to its name and symbol**.
  - The EC is the **only authority to decide issues on a dispute or a merger under the order**.
  - **The Supreme Court (SC)** upheld its validity in **Sadiq Ali and another vs. ECI in 1971**.
- This applies to **disputes in recognised national and state parties**.
- For splits in registered but unrecognised parties, the EC usually **advises the warring factions to resolve their differences internally or to approach the court**.
- In almost all disputes decided by the EC so far, **a clear majority of party delegates/office bearers, MPs and MLAs have supported one of the factions**.
- Before 1968, the EC **issued notifications and executive orders** under the Conduct of **Election Rules, 1961**.
- The splinter group of the party - other than the group that got the party symbol - **had to register itself as a separate party**.
  - They could lay claim to national or state party status **only on the basis of its performance in state or central elections after registration**.

## What is the Representation of People Act 1951?

- **Key Provisions:**
  - It regulates the **actual conduct of elections and by-elections**.
  - It provides **administrative machinery** for conducting elections.
  - It deals with the **registration of political parties**.
  - It specifies the **qualifications and disqualifications for membership** of the Houses.
  - It provides **provisions to curb corrupt practices** and other offences.
  - It lays down the **procedure for settling doubts and disputes arising out of elections**.
- **Provisions Related to Political Parties:**
  - Every association or body in order to become a political party **must be registered with the ECI** whose decision regarding registration will be final.
  - Registered political parties, in course of time, **can get recognition as 'State Party' or National Party'**.

## UPSC Civil Services, Previous Year Questions (PYQ)

### Q. Consider the following statements: (2021)

1. In India, there is no law restricting the candidates from contesting in one Lok Sabha election from three constituencies.
2. In the 1991 Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies.
3. As per the existing rules, if a candidate contests in one Lok Sabha election from many constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her winning in all the constituencies.

### Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) 1 and 3
- (d) 2 and 3

**Ans:(b)**

**Exp:**

- In 1996, the Representation of the People Act, 1951 was amended to restrict from 'three' to 'two' the number of seats one candidate could contest in Lok Sabha and Assembly elections. **Hence, statement 1 is not correct.**
- In 1991, Shri Devi Lal contested three Lok Sabha seats, Sikar, Rohtak and Ferozepur seats. **Hence, statement 2 is correct.**
- Whenever a candidate contests from more than one seat and wins more than one, the candidate has to retain only one, forcing bypolls in the rest. It results
- in an unavoidable financial burden on the public exchequer, government manpower and other resources for holding by-election against the resultant vacancy. **Hence, statement 3 is not correct.**
- **Therefore, option (b) is the correct answer.**

**[Source: PIB](#)**

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