



Derecognition and Deregistration of Political Parties

Why in News?

Recently, a state party asked the [Election Commission of India \(ECI\)](#) not to derecognise the party in Andhra Pradesh.

What does Derecognition of Political Parties mean?

- **About:**
 - Derecognition refers to the withdrawal of recognition of a political party by the ECI.
 - Such parties are simply declared as [registered-unrecognized parties](#).
 - The **ECI has the power to derecognize a political party** if it violates the provisions of the Indian Constitution or the [Representation of the People Act, 1951](#).
- **Grounds for Derecognition of a Political Party as National party (as per ECI):**
 - If the party fails to secure at least 6% of the total votes polled in the general election to the LS or the legislative assembly of the state concerned, and if it fails to have at **least 4 MPs elected in the last LS polls (also, it doesn't win 1 seat in the LS from the same state.)**; or
 - If it has **won at least 2% of the total seats in the LS** from at least 3 states.
 - If it fails to secure **8% of the total valid votes** polled in the state at a General **Election to the LS from the state or to the State LA**.
 - If the party fails to submit its audited accounts to the ECI on time.
 - If the party fails to hold its organizational elections on time.

How does Derecognition of Parties differ from Deregistration?

- **About:**
 - Deregistration refers to the cancellation of the registration of a political party. However, the ECI is **not empowered to de-register parties**.
 - Once a political party is deregistered, it cannot contest elections.
- **Grounds for Deregistration of a Political Party:**
 - A party can only be de-registered if:
 - Its registration was obtained by fraud;
 - It is declared illegal by the Central Government; or
 - A party amends its internal Constitution and notifies the ECI that it can no longer abide by the Indian Constitution.

What is the Representation of People Act 1951?

- **About:**
 - It regulates the actual conduct of elections and by-elections, provides administrative machinery for conducting elections, deals with the registration of political parties, specifies the qualifications and disqualifications for membership of the Houses, provides provisions to curb corrupt practices and other offences.
- **RPA and 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.

- The current rulebook allows EC to register parties but **does not allow for deregistration.**
 - **No provision in the RPA 1951 provides any mechanism for de-registration** of a political party.
 - The Parliament may have deliberately omitted vesting the ECI with this power to **ensure its independence and unbiasedness in terms of organising free and fair elections.**
 - The ECI, however, has been demanding the power to regulate both registration and deregistration of political parties.

[Source: TOI](#)

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