

## **Registration of political parties under section 29A of the Representation of the People Act, 1951**

For the purpose of registration of any association or body of individual citizens of India as a political party, the association or body is required to make an application to the Election Commission of India giving therein full particulars required under sub-section(4) of Section 29A of the Representation of the People Act, 1951 and additional particulars required under the Registration of political parties (Furnishing of Additional Particulars) Order, 1992.

2. The application should be neatly typed on the party's letter-head, if any, and it should be sent by registered post/presented personally to the Secretary to the Election Commission within 30 days following the date of the formation of the party. Any application made after the said period will be **time-barred** under the provisions of Section 29A(2)(b) of the Representation of the People Act, 1951.

3. Along with the application, the following documents are also required to be submitted: -

(i) **A Demand Draft of Rs. 10,000/- (Rupees Ten Thousand only)** on account of processing fee drawn in favour of the **Under Secretary, Election Commission of India, New Delhi**. It may be noted that the processing fee is non-refundable.

(ii) The memorandum/rules and bye-laws/constitution of the Party containing a specific provision as required under sub-section (5) of Section 29A of the Representation of the People Act, 1951 that "the

party shall bear true faith and allegiance to the Constitution of India as by law established, and to the principles of socialism, secularism and democracy and would uphold the sovereignty, unity and integrity of India". This mandatory provision must be included in the text of party constitution itself as one of the clauses. As per the provision to sub-section (7) of the said Section 29A, no association or body shall be registered as a political party unless the memorandum, rules and regulations or the constitution of such association or body conform to the above referred provision of sub-section (5) of Section 29A. The copy of the party constitution furnished with the application should also contain detailed provisions about all aspects of the party such as criteria for membership, election of office-bearers, and important Committees, duties and powers of the office-bearers, provision regarding disciplinary action, etc, etc. There should be a specific provision in the rules and regulations/memorandum/Constitution of the party regarding organisational elections at different levels and the periodicity of such elections and term of office of the office-bearers of the party. Besides procedure in the case of merger/dissolution of the association and procedure to be followed for amendment of the Constitution/bye-laws should be provided in the bye-laws. The Constitution/bye-laws duly authenticated on each page by the General Secretary/President/Chairman of the party and the seal of the signatory affixed thereon.

4. Certified extracts from the latest electoral rolls in respect of at least 100 members of the organization (including all office-bearers/members of main decision making organs like Executive Committee/Executive

Council) to show that they are registered electors. Alternatively photocopies of electoral photo identity cards of such members, duly attested by a Gazetted Officer or Notary can be submitted.

5. An affidavit duly signed by the President/General Secretary of the applicant party and sworn before a 1<sup>st</sup> Class Magistrate/Oath Commissioner/Notary Public to the effect that no member of the organization is a member of any other political party registered with the Commission. Further, individual affidavits from these 100 members affirming that they are members of the association and are not members of any other political party, registered with the Commission and also stating that they are registered electors (name of the constituency where they are registered should be mentioned). These affidavits should be on Stamp Paper of atleast Rs. 2/- denomination and duly sworn before a 1<sup>st</sup> class Magistrate/Oath Commissioner/Notary Public. These affidavits should be from those persons in respect of whom certified extracts of electoral rolls mentioned above are being furnished.

6. Particulars of Bank account(s), if any, in the name of the party should be given.

7. Copies of the following documents are given here for information and guidance: —

- (a) Extract of Section 29A of the Representation of the People Act, 1951.
- (b) Registration of political parties (Furnishing of Additional Particulars) Order, 1992.

**EXTRACT FROM REPRESENTATION OF THE PEOPLE  
ACT, 1951 REGISTRATION OF POLITICAL PARTIES**

**Section 29A.** Registration with the Election Commission of associations and bodies as political parties: -

(1) Any association or body of individual citizens of India calling itself a political party and intending to avail itself of the provisions of this part shall make an application to the Election Commission for its registration as a political party for the purposes of this Act.

(2) Every such application shall be made: -

(a) If the association or body is in existence at the commencement of the Representation of the People (Amendment) Act, 1988 (1 of 1989), within sixty days next following such commencement;

(b) If the association or body is formed after such commencement within thirty days next following the date of its formation.

(3) Every application under sub-section (1) shall be signed by the Chief Executive Officer of the association or body (whether-such Chief Executive Officer is known as Secretary or by any other designation) and presented to the Secretary to the Commission or sent to such Secretary by registered post.

(4) Every such application shall contain the following particulars, namely: -

(a) the name of the association or body;

- (b) the State in which its head office is situated;
- (c) the address to which letters and other communications meant for it should be sent;
- (d) the name of its President, Secretary, Treasurer and other office-bearers;
- (e) the numerical strength of its number, and if there are categories of its member, the numerical strength in such category;
- (f) Whether it has only local units; if so, at what levels;
- (g) whether it is represented by any member or members in either House of Parliament or of any State Legislature; if so, the number of such member or members.

(5) The application under sub-section (1) shall be accompanied by a copy of the memorandum or rules and regulations of the association or body, by whatever name called, and such memorandum or rules and regulations shall contain a specific provision that the association or body shall bear true faith and allegiance to the constitution of India as by Law established, and to the principles of socialism, secularism and democracy and would uphold the sovereignty, unity and integrity of India.

(6) The Commission may call for such other particulars, as it may deem fit from the association or body.

(7) After considering all the particulars as aforesaid in its possession and any other necessary and relevant factors and after giving the representatives of the association or body reasonable opportunity of being heard, the Commission shall decide either to register the association or body

as a political party for the purposes of this party, or not so to register it; and the Commission shall communicate its decision to the association or body;

Provided that no association or body shall be registered as a political party under the sub-section unless the memorandum or rules and regulations of such association or body conform to the provisions of sub-section (5).

(8) The decision of the Commission shall be final.

(9) After an association or body has been registered as a political party as aforesaid, any change in its name, head office, office-bearers, address or in any other material matters shall be communicated to the Commission without delay.

**ELECTION COMMISSION OF INDIA**  
**NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-10 001.**

Dated the 23<sup>rd</sup> March, 1992.

The Registration of Political Parties (Furnishing of Additional Particulars) Order, 1992.

An order to provide for furnishing of additional particulars by associations or bodies of individual citizens of India seeking registration as a political party with the Election Commission of India.

**ORDER**

WHEREAS, Section 29A of the Representation of the People Act, 1951 provides that any association or body of individual citizens of India calling itself a political party and intending to avail itself of the provisions of Part-IVA of the said Act shall make an application to the Election Commission for its registration as a political party for the purpose of that Act;

AND WHEREAS, sub-section (4) of the said Section 29A specifies the particulars which an association or body of individual citizens shall furnish in its application to the Commission seeking registration as a political party;

AND WHEREAS, sub-section (6) of the said Section 29A provides that the Commission may call for such other particulars as it deem fit from the association or the body making the application as aforesaid:

AND WHEREAS, in exercise of the powers conferred by the said sub-section (6) of section 29A, the Commission by the Election Symbols (Reservation and Allotment)(Amendment) Order, 1989, dated the 15<sup>th</sup> June 1989, specified in paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968 the additional particulars which an association or body seeking registration shall furnish in or along with its application for registration;

AND WHEREAS, the Commission is, on reconsideration, of the view that the said paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968 is not the appropriate place for specifying the aforesaid additional particulars.

NOW, THEREFORE, in exercise of the powers conferred by the said sub-section (6) of Section 29A of the Representation of the People Act, 1951, Article 324 of the Constitution of India and all other powers enabling it in this behalf, the Election Commission of India hereby makes the following order: -

1. Short title, extent, and commencement—
  - (a) This order may be called the Registration of Political Parties (Furnishing of Additional Particulars) Order, 1992.
  - (b) It extends to the whole of India.
  - (c) It shall come into force on the date of its publication in the Gazette of India.
  
2. Additional particulars to be furnished in, or along with, an application for registration as a political party. Every association or body of individual citizens of India making an application to the Election Commission for its registration as a political party under section 29A of the Representation of the People Act, 1951 (43 of 1951) shall, in addition to the particulars mentioned in sub-section (4) of that section, furnish in such application or in an annexure thereto, the following particulars, namely:-
  - (a) the principles on which the association or body is based;
  - (b) the policies, aims and objects it pursues or seeks to pursue;
  - (c) its programme, functions and activities for the purpose of carrying out its principles, policies, aims and objects;



- (d) the names of the main organs (by whatever name called) of the association or body, their functions and the names of the Chairman (by whatever name called), and other members or such organs; and
- (e) the relationship of the association or body with the electors and the popular support it enjoys, along with tangible proof, if any, of such relationship and support.

3. Omission of paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968. Paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968 is hereby omitted.

By order,  
(F.No. 56/Regn./92/J.S.II)

Sd/-

(S.K. MENDIRATTA )  
SECRETARY TO THE  
ELECTION COMMISSION OF INDIA