

AS INTRODUCED IN LOK SABHA

Bill No. 71 of 2019

THE REPRESENTATION OF THE PEOPLE (AMENDMENT)
BILL, 2019

By

SHRI GOPAL CHINAYYA SHETTY, M.P.

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BILL

further to amend the Representation of the People Act, 1951.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Representation of the People (Amendment) Act, 2019. Short title and commencement.

(2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

43 of 1951. 2. In the Representation of the People Act, 1951, in Part IV A, after section 29A, the following section shall be inserted, namely:— Insertion of new section 29AA.

Conditions for
recognition as
a National
party.

"29AA. Notwithstanding anything contained in the Election Symbols (Reservation and Allotment) Order, 1968, a political party shall be treated as a recognized National party, if— S.O. 2959 dated the 31st August, 1968.

(a) the number of members belonging to the political party in the House of the People—

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(i) is not less than ten percent. of the total number of seats in the House of the People; and

(ii) have been elected from not less than one-fourth of the total number of States;

(b) at the last general election to the House of the People, the candidates set up by the political party secure not less than sixteen percent. of total valid votes polled in one-fourth of the total number of States in the country; and 10

(c) at the last general election to the Legislative Assemblies, the candidates set up by the political party secure not less than sixteen percent. of the total valid votes polled in one-fourth of the total number of States in the country.". 15

STATEMENT OF OBJECTS AND REASONS

At present, a political party is treated as a recognized National party if,—

(i) the candidates set up by it, in any four or more States, at the last general election to the House of the People, or to the Legislative Assembly of the State concerned, have secured not less than six percent. of the total valid votes polled in their respective States; and

(ii) such political party has returned atleast four members to the House of the People at the aforesaid last general election for any State or States;

or

(i) its candidates have been elected to the House of the People, at the last general election to that House, from atleast two percent. of the total number of Parliamentary constituencies, any fraction exceeding one-half being counted as one; and

(ii) the said candidates have been elected to that House from less than three States.

However, the security deposits of candidates contesting election to Legislative Assembly or House of the People get forfeited if they secure less than sixteen percent. of the valid votes polled. So there is no rationale in recognizing any party which secures six percent. of the total valid votes polled in elections to the Legislative Assemblies or the House of the People, as a National political party.

There is a need to change the conditions for recognition as a National political party. A registered political party in order to get recognition as a National political party must have atleast 54 members or members equal to ten percent. of the total strength of the House of the People, elected from atleast one-fourth of the total number of States of the country. Further, the party must have secured at least sixteen percent. of the total votes polled in elections to the Legislative Assemblies and the House of the People in one-fourth States of the country.

Therefore, to achieve the above objectives, it is proposed to amend the Representation of the People Act, 1951 in the interest of the nation.

Hence this Bill.

NEW DELHI;
June 11, 2019.

GOPAL CHINAYYA SHETTY

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further to amend the Representation of the People Act, 1951.

(Shri Gopal Chinayya Shetty, M.P.)