

**GUIDELINES AND APPLICATION FORMAT FOR  
Registration of political parties under Section 29A of the Representation  
of the People Act, 1951**

*(Please read the guidelines carefully)*

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 **(Format at Annexure-I)** 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, separately.

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. **All pages of the application including annexure should be (page) numbered in continuation.**

3. The application must be accompanied by the following documents/information:-

(i) Party Constitution drawn on following lines:

Article I: Name of the Party  
(Should not contain religion or caste)

Article II: Objectives of the Party  
(Should be in consonance with the Constitution of India)

Article III: Membership of the Party  
(Open to all adult Indian citizens)

Article IV: Organs of the Party (Organizational Structure)

Powers and Functions of each of these organs  
(Decision making power should reflect democratic spirit ó no veto power)

Method of appointment (and terms) of members to each of these organs

(Not more than 1/3<sup>rd</sup> members can be nominated; Tenure should be fixed not exceeding 5 years; Periodic elections within 5 years maximum)

Article V: Office-bearers of the Party

Powers and functions of each of these office-bearers  
(Decision making power should reflect democratic spirit ó no veto power)

Method of appointment (and terms) of each of these office-bearers  
(Should be elected; Not more than 1/3<sup>rd</sup> can be nominated; Fixed tenure not exceeding 5 years for everyone; Periodic elections within 5 years maximum)

Article VI: Rules of Dispute Resolution & Discipline

Article VII: Basics of Rules of Conduct of Business  
Decision making process; Meetings ó quorum, notice and decision making etc. ;  
(Details can be annexed separately)

Article VIII: Party Funds & Accounts  
Party funds to be utilized for political activities; Accounts to be maintained on accrual system; To be annually audited by Auditor on the panel of CAG; Audited annual accounts to be submitted to the ECI within 6 months of the end of financial year.  
(Details can be annexed separately)

Article IX: Party Constitution& Amendment Procedure

Article X: Merger, Split and Dissolution Procedure

Article XI: Mandatory Provision under Section 29A (5) of RP Act, 1951.

(ii) A CHECKLIST, with clear answer against each item therein, may be submitted with application (**Annexure-II**). The relevant page no. of application, where the details of the particular item in checklist can be verified, must be indicated by you.

(iii) 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**.

(iv) A neatly typed/printed copy of 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 in the exact terms,

which reads *õí í í ...í í í í í í í í ö (Name of 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*ö. The above mandatory provision must be included in the text of party constitution itself as one of the clauses. As per provision to sub-section (7) of the said Section 29A of the Representation of the People Act, 1951, 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.

- (v) There should be a specific provision in the rules/Constitution of the party regarding internal democracy in the party, organisational elections at different levels, mode of such elections and the periodicity of such elections, term of office of the office-bearers and powers and duties of the office-bearers of the party, and the various representative bodies of the party (such as Executive Committee, Council etc.)
- (vi) Besides these particulars, procedure to be followed in the case of merger/dissolution of the Association, amendment in Party Constitution and disciplinary action against erring members of the party should be provided in the bye-laws. There should be clear provision in the party constitution about membership of the party. There should not be any discrimination in the matter of membership.
- (vii) Extracts from the latest electoral rolls in respect of atleast 100 members of the organisation (including all office-bearers/members of main decision making organs like Executive Committee/Executive Council) duly certified by the Electoral Registration Officer of concerned assembly constituency to show that they are registered electors. Alternatively, photocopies of Elector Photo Identity Cards (EPICs) of the members duly attested by a Gazetted officer or Notary should be submitted.
- (viii) 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 organisation is a member of any other political party registered with the Commission (Specimen of affidavit at Annexure- III).

- (ix) Individual affidavits from atleast 100 members of the party to the effect that the said member is a registered elector and that he is not a member of any other political party registered with the Commission. 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 or EPICs are being furnished as mentioned in Para (v) **(Specimen of affidavit at Annexure-IV).**
- (x) A list of office bearers and members of the party mentioned in (vi) and (viii) above, should be submitted and **the certified copy of electoral rolls or EPICs and individual affidavits should be enclosed as per the sequence of the list.**
- (xi) Particulars of Bank account and Permanent Account Number (PAN), if any, in the name of the party should be furnished.
- (xii) The applicant party has to produce a ‘No Objection Certificate’ , **in the form of an affidavit on stamp paper,** from the owner of the premises where the party office is situated **with certified copies** of tangible proof, **such as House Tax Receipt or Registry papers, etc.** , of ownership of the premises.
- (xiii) The applicant has to attach a ‘No Objection Certificate’ from the Local Body, Municipal Corporation etc. to the effect that there is no prohibition under the rules and regulations of the authority to set up political party office in that building **where the party office is situated.**
- (xiv) Separate Affidavits from the office bearers of the main organs of the applicant party in respect of their Assets and Liabilities have to be furnished. (Format enclosed at **Annexure-V**).
- (xv) The office bearers of the applicant party have to furnish a copy of their Income Tax Returns filed for the last three years, if they are Income Tax payees. In case any office bearer is not Income Tax payee he/she has to furnish **certified** details of his/her monthly income alongwith source of income.
- (xvi) The details of PAN Card have to be furnished in respect of office bearers of the party.
- (xvii) Affidavits from the office bearers of the main organs of the applicant party showing information about their criminal antecedents have to be furnished in affidavit form. (Format enclosed at **Annexure-VI**).

- (xviii) The applicant party must submit authenticated proof to show that the party constitution has been adopted by the General Body of the party.
- (xix) The applicant party must declare in its constitution that it shall submit its audited annual financial statement to the Commission within a period of 60 days after the end of each financial year.
- (xx) The applicant party must ensure in its constitution itself, vide a specific clause in the party constitution that the party will not, in any manner, promote or instigate or participate in violence.
- (xxi) The applicant party must ensure in its constitution itself vide a specific clause in the party constitution that party will hold periodic (Period to be specified in constitution but at least once in 4 years) and regular election to all positions of office-bearers and organs of the party.
- (xxii) The applicant party must ensure in its constitution itself vide a specific clause in the party constitution that any amendment to the constitution must be approved by the General Body of the party.
- (xxiii) The party must declare in its constitution that it must contest an election conducted by the Election Commission within 5 years of its registration. *(If the Party does not contest elections continuously for 6 years, the Party shall be taken off the list of registered parties).*

4. ***It is advised to ensure that the application is complete in all respects as per the CHECKLIST enclosed at Annexure-II. If any requisite information has not been furnished by you or wrongly furnished with your application (as per the CHECKLIST), it may not be possible to consider the application. Therefore, it is advised that the CHECKLIST may be filled carefully and submit alongwith application.***

5. The application alongwith all the required particulars/documents mentioned above must be made to the 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 and will not be considered.

6. Within 2 weeks of receipt of your duly completed application you will receive an acknowledgement of your application from the Election Commission guiding you on future course of action.

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