

All-Inclusive Current Affairs for Prelims 2023

Polity Class-12









National Party

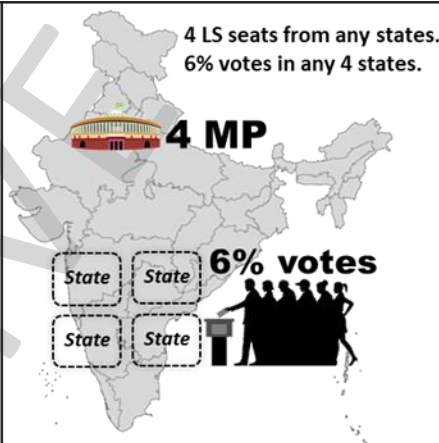
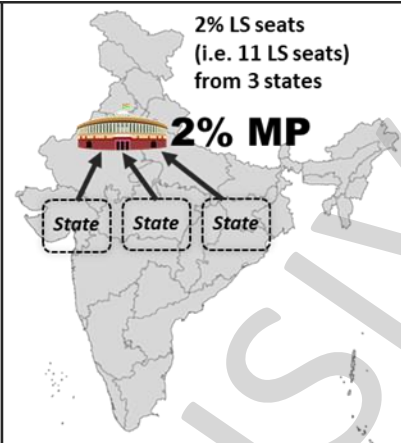
Business Standard

AAP becoming national party thanks to people of Gujarat: Manish Sisodia

Press Trust of India | New Delhi | Last Updated at December 08 2022 23:49 IST

Delhi Deputy Chief Minister Manish Sisodia on Thursday said the Aam Aadmi Party is on course to become a national party thanks to the votes given by the people of Gujarat.

1885	1925	1964	1980	1984	1998	1999	2013
INC	CPI	CPI (M)	BJP	BSP	AITC	NCP	NPP
Indian National Congress	Communist Party of India	Communist Party of India (Marxist)	Bhartiya Janta Party	Bahujan Samaj Party	All India Trinamool Congress	Nationalist Congress Party	National People's Party
							



National Party

1. It is recognised as **state party** in 4 states
2. It wins **2% seats** (i.e. 11 seats) in Lok Sabha; and these candidates are elected from 3 states
3. It gets **6% valid votes** in any 4 or more states (in Lok Sabha or legislative assembly elections) and, in addition, it wins **4 seats in Lok Sabha** from any state or states

State Party (not important for Prelims) (In LS election, performance is seen at state level, not at national level)

- 8% votes (in LS election or Assembly election)
- 6% votes and 1 MP (in LS election)
- 6% votes and 2 MLAs (in Assembly election)
- 3% MLAs or 3 MLAs, whichever is higher (in Assembly election)
- 1 MP for every 25 allotted to the state or any fraction thereof (in LS election)

State parties are aka **Regional** parties. **National parties** are aka **All-India** parties.

Benefits of RECOGNITION as National/State party:

- Needs only one proposer for filing nomination
- Reserved symbol:
 - in states of recognition, for State party
 - throughout India, for National party
- Free electoral rolls - two sets for Party, one set for each candidate
- 40 'Star Campaigners' during general elections (For star campaigner see Polity class-4 pg-31)
- Time slot on national & state TV/radio (Doordarshan/Akashvani) during elections
- Land/building from govt for party office in Delhi (subject to certain conditions)

De-recognition

- ❑ Both national and state parties have to fulfil the conditions for all subsequent Lok Sabha or State elections. Else, they will lose recognition.
- ❑ EC can also derecognise a party for not filing expenditure statement on time, for violating MCC, etc.
- ❑ EC derecognised NPP for brief period during 15-30 June 2015 for not filing expenditure statement on time.

I read I forget, I see I remember

See explanation of this PDF on  www.youtube.com/c/allinclusiveias

Registration vs Recognition

			
			
<p>I will fight election as independent.</p>	<p>We have formed a party. We want to do its registration.</p>	<p>Our party has performed good. Please recognize it as State party.</p>	<p>Our party has performed good. Please recognize it as National party.</p>

Registration is as per **RPA 1951 section 29A**. Application must be submitted within 30 days of formation of party.
Recognition is as per Election Symbols (Reservation & Allotment) Order, **1968**

<https://pib.gov.in/newsite/printrelease.aspx?relid=104537>

- Any Indian citizen** who is more than 25 years old and is registered as a voter can contest elections even **without forming a party**. (21 years for local body election)
- Associations** can contest elections **without getting registered** by the Election Commission. But they will not be identified as political party, hence will not get benefits under RPA 1951

Benefits of REGISTRATION as a political party

- Accept voluntary contribution from any person or company, other than a govt company
- 100% income tax exemption (but must file annual income tax return)
- Get preference in allotment of election symbols
- Can nominate up to 20 'Star Campaigners'

De-registration

- ❖ RPA 1951 provides for **registration** of political parties? **Yes**
- ❖ RPA 1951 provides for **de-registration** of political parties? **No**

SC has held that in certain situations EC can review its order of registering a political party -

1. When party obtained registration by **fraud**
2. When party is declared **unlawful** by Central Government
 - under UAPA 1967 or any other similar law
3. When **basis of registration** under 29A(5) is knocked-off. e.g.
 - Party says that it has lost faith and allegiance to Indian Constitution or the principles of socialism, secularism, democracy, or that it will not uphold sovereignty, unity, integrity of India

<https://www.legalserviceindia.com/legal/article-4767-does-election-commission-possess-the-power-to-de-register-a-political-party-.html>
<https://blog.ipleaders.in/analyzing-the-power-of-the-election-commission-to-de-register-a-political-party/>

Prelims 2017 Consider the following statements:

1. The Election Commission of India is a **five member** body.
2. Union Ministry of **Home Affairs** decides the **election schedule** for the conduct of both general elections and bye-elections.
3. Election Commission resolves the **disputes relating to splits/mergers** of recognized political parties.

Which of the statements given above is/are correct?

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

Prelims 2017 For election to the Lok

- Sabha, nomination paper can be filed by
- (a) anyone residing in India
 - (b) a resident of the constituency from which the election is to be contested
 - (c) **any citizen of India whose name appears in the electoral roll of a constituency**
 - (d) any citizen of India

I read I forget, I see I remember | See explanation of this PDF on **YouTube** www.youtube.com/c/allinclusiveias

If confused, remember at least this:

EC has power to:

- Register a political party? **Yes**
- De-register a political party? **No**
- Recognize a registered political party? **Yes**
- De-recognize a registered political party? **Yes**

	1 st election (1952)	17 th election (2019)
National parties	14	7
State parties	39	52

Currently, there are about 2-3 thousand Registered Unrecognized Political Parties

Election Symbols

As per Election Symbols (Reservation & Allotment) Order, 1968

- 'Reserved symbols' are for candidates of **recognised parties**
- 'Free symbols' are for others (independent, unregistered association, registered unrecognized party)

In case of dispute within party, EC decides which faction will use the symbol.

- Decision of EC is binding? **Yes** (else what's the use of giving decision)
- Decision of EC can be challenged in SC? **Yes** (because judicial review is part of basic structure of Constitution)



Voters

To vote in elections is a Fundamental duty? No

Teenagers of 17 years age, can apply in advance, to register as voters.

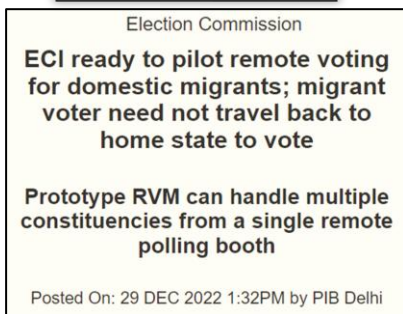
To be registered as voter, person should be 18 years old as on:

- earlier it was 1 January
- now its 1 January, 1 April, 1 July, 1 October

Now electoral rolls will be updated every quarter

61st Constitution (Amendment) Act 1988 lowered voting age from 21 years to 18 years for Lok Sabha and SLA

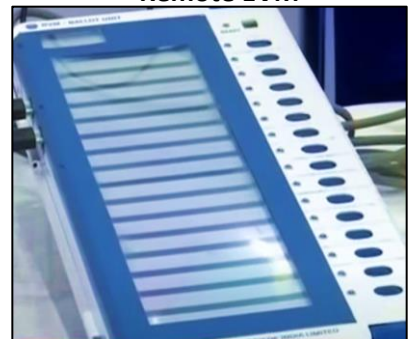
Remote EVM



EVM



Remote EVM



Remote Electronic Voting Machine

For EVM see Polity class-6 pg-62

In development/testing phase

- It uses **digital board** (EVM uses printed list)
- It will help **migrants** to vote from remote state
- Voters from **multiple constituencies** can vote on same REVM
- To allow remote voting, **RPA 1950/1951** will have to be amended
- It is a standalone machine, **not connected to internet** (just like EVM)
- Voter turnout in 2019 General Elections was **67.4 %**. Migration is one of the reasons for low voter turnout.

Can Migrants vote by proxy voting? No
Can Migrants vote by postal ballot? No
See Polity class-4 pg-35

Miscellaneous

EPIC (Voter ID) - Electoral Photo Identity Card

PPRTMS - Political Parties Registration Tracking Management System

- launched by Election Commission in 2020
- Fore registration, parties can apply online and track application status

National Voters' Day

- ✓ 25 January, since 2011
- ✓ ECI was formed on 25-11-1950

Election disputes

Prez/VP → **Supreme Court** (as per Article 71)
MP/MLA → **High Court** (as per RPA 1951)

cVIGIL by EC

Mobile app for people to report MCC violation

SVEEP by EC

Systematic Voters' Education and Electoral Participation

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<p>Association of Asian Election Authorities</p> <ul style="list-style-type: none"> est in 1998, Secretariat in Manila (Philippines) India is one of the founding members India has been elected as its chair for 2022-24 AAEA is associate member of A-WEB 	<p>Association of World Election Bodies (A-WEB)</p> <ul style="list-style-type: none"> est in 1993, Secretariat in Incheon (South Korea) India is one of the founding members
<p>National Advisory Committee on Accessible Election by EC To improve participation of Person with Disability in elections</p>	

Some PYQs

<p>Prelims 1993</p> <p>Anti-Defection Law was enacted as early as 1979 in (a) Kerala (b) Jammu and Kashmir (c) West Bengal (d) Tamil Nadu</p> <p>Explanation Some websites mention J&K as answer. But as per the following link, WB is correct. https://indiankanoon.org/doc/96779464/</p>	<p>Prelims 2012</p> <p>Which of the following parties were formed by Dr. BR Ambedkar?</p> <ol style="list-style-type: none"> The Peasants and Workers Party of India All India Scheduled Castes Federation The Independent Labour Party <p>Select the correct answer from the codes given below: (a) 1 & 2 only (b) 2 & 3 only (c) 1 & 3 only (d) 1, 2 & 3</p>
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<p>UP-PCS (Mains) 2010</p> <p>Political parties got Constitutional recognition for the first time in the year (a) 1975 (b) 1977 (c) 1985 (d) 1995</p> <p>Explanation 52nd Constitution Amendment Act 1985</p>	<p>Explanation B. R. Ambedkar (14-04-1891 to 06-12-1956):</p> <ul style="list-style-type: none"> 1920 - weekly newspaper 'Mooknayak' 1924 - Bahishkrit Hitakarini Sabha at Bombay 1930 - Depressed Classes Federation 1936 - Independent Labour Party 1936 - Annihilation of caste (undelivered speech) 1942 - ILP succeeded by Scheduled Castes Federation 1957 - SCF evolved into Republican Party of India
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<p>Prelims 1999:</p> <p>Consider the following statements about the recent amendments to the elections law by the Representation of the People (Amendment) Act 1996.</p> <ol style="list-style-type: none"> Any conviction for the offence of insulting the Indian National Flag or the Constitution of India shall entail disqualification for contesting elections to Parliament and State Legislatures for six years from the date of conviction There is an increase in the security deposit which a candidate has to make to contest election to Lok Sabha A candidate cannot now contest election from more than one Parliament Constituency No election will now be countermanded on the death of a contesting candidate <p>Which of the above statements are correct (a) 2 and 3 (b) 1, 2 and 4 (c) 1 and 3 (d) 1, 2, 3 and 4</p>
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<p>Prelims 2021:</p> <p>Consider the following statements :</p> <ol style="list-style-type: none"> In India, there is no law restricting candidates from contesting one Lok Sabha election from 3 constituencies. In 1991 Lok Sabha Election, Shri Devi Lal contested from 3 Lok Sabha constituencies. 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 in the event of him/her winning in all the constituencies. <p>Which of the statements given above is/are correct? (a) 1 only (b) 2 only (c) 1 and 3 (d) 2 and 3</p> <p>(1) and (3) are incorrect. (2) is correct as per Indian express article (2) is wrong as per Election Commission https://eci.gov.in/files/file/4121-general-election-1991-vol-i-ii/ Initially, UPSC framed the question assuming Indian Express article to be factually correct. Later, UPSC referred Election Commission document and realised that Indian Express made mistake. Since all three statements are wrong, UPSC decided to drop the question in official answer key.</p>
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Prelims 1995

Consider the table given below providing some details of the results of the election to the Karnataka State Legislative Assembly held in December 1994.

Political Party	% of popular votes obtained	Number of seats secured
Janta Dal	36%	116
Congress	31%	35
BJP	20.4%	40

In terms of electoral analysis, the voter-seat distortion is to be explained as the result of the adoption of the

- (a) Hare system
- (b) Cumulative vote system
- (c) First-past-the post system**
- (d) Plural vote system

Explanation

In FPTP system, majority in legislature depends on seats, not on votes.

- FPTP**: Lok Sabha, Legislative Assembly
- PR**: Rajya Sabha, Legislative Council, President, Vice-President

Prelims 1994

Given below is the Vote percentage secured by a political party in three successive elections to the Lok Sabha.

Year	1984	1989	1991
% of votes	7.4%	11.4%	22.4%

Party to receive above-mentioned % of votes was

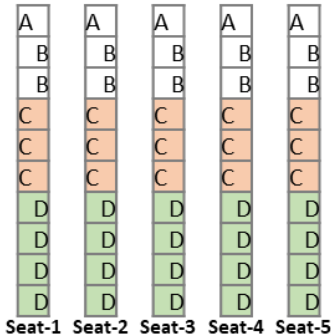
- (a) Congress
- (b) Bahujan Samaj Party
- (c) Bhartiya Janata Party**
- (d) Communist Party of India (Marxist)

Explanation

With the help of Ram Janmabhoomi movement, BJP's seats increased from 2 in 1984 to 161 in 1996, making it the largest party in Lok Sabha in 1996. 1984-002, 1989-085, 1991-120, 1996-161 1996 Lok Sabha results:

Party	Votes	Seats
Congress	28.8%	140
BJP	20.3%	161

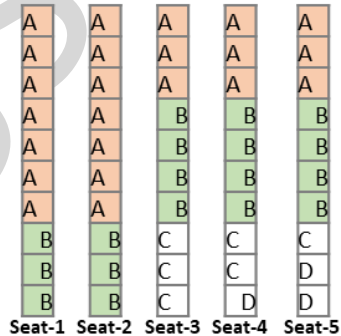
FPTP : Problem #1



Party	Votes	Seats
A	10%	0
B	20%	0
C	30%	0
D	40%	5

60% people are against 'D', still it won all seats
30% want 'C', but it got no representation at all

FPTP : Problem #2



Party	Votes	Seats
A	46%	2 (40% seats)
B	36%	3 (60% seats)
C	12%	0
D	06%	0

64% people are against 'B', still it forms govt
Party with most votes is sitting in opposition

What if NOTA gets maximum votes? It doesn't matter! Candidate with most votes will still win.

Prelims 1994

Assertion (A) : In India, the political parties which formed the governments represented the majority of seats secured in the elections to the House of the People at the Centre and the Legislative Assemblies in the States but not the majority of votes.

Reason (R) : The result of elections based on the majority-vote-system is decided on the basis of the relative majority of votes secured.

Answer: **(a) Both (A) and (R) are true, and (R) is the correct explanation of (A).**

Explanation

Majority in legislature depends on seats, not votes.