

# EC holds out hope for CPM

STATESMAN NEWS SERVICE

NEW DELHI, Dec. 2. — The CPI-M may regain national status, thanks to significant amendments to the Election Symbols (Reservation and Allotment) Order, 1968 by the Election Commission.

The Chief Election Commissioner today announced changes in the order. Any party, that wants to regain its national status, will have to apply to the EC and their cases would be reviewed judiciously, Mr MS Gill said. A notification amending the order has been issued.

The unanimous decision came at a meeting of the full commission on 30 November. Derecognised parties had appealed to EC in September for amendments to the "archaic" law.

A CPI-M leader said: "The new criteria takes into account the representation and strength of parties in the Lok Sabha... more realistic and takes into account the changed political situation."

"The amendments, Mr Gill said, have "simplified, straightened-up and liberalised" the order. According to the amendments, a party is eligible to be recognised as a national party if it secures at least six per cent of the valid votes polled in any four or more states in elections to the Lok Sabha or to the state legislative Assembly.

The party should also win at least four Lok Sabha seats from any state or states, or at least two per cent seats in the Lok Sabha. These members should be elected from at least three different states.

A party would be recognised at the state-level if it secures at least six per cent of the valid votes polled in Lok Sabha or Assembly elections. It should also win at least two Assembly seats, or three per cent of the total seats in the Assembly or at least three seats in the Assembly, whichever is more.

In any election, a party can set up a candidate only from among its own members. A party, that loses recognition, will be allowed to use its symbol for six years in order to try and retrieve its status.

A party will be recognised on the basis of its own performance in elections and not that of a splinter group of some other recognised party.

A national party should have a marked presence in a sizeable part of the country, its activities should be widespread to secure a reasonable number of votes and that it must have a reasonable representation in the Lok Sabha, he said.

For recognition as state party, it must have a reasonable following among voters in the state and a reasonable presence in the Assembly, the CEC said.

THE STATESMAN

1968

# EC order gives hopes to CPI(M)

By Our Special Correspondent

NEW DELHI, DEC. 2. The Election Commission today amended the election symbols order modifying the criteria for recognition as National and State parties, therefore opening the possibility for the Communist Party of India (Marxist) to regain its national party status.

The Commission decided that from now on, a political party shall be eligible to be recognised as a national party if it secures at least six per cent of valid votes polled in any four or more States at the general elections to the Lok Sabha or to the Legislative Assembly and in addition win at least four seats in the House of the People from any State or States.

The other criteria was that a political party wins at least two per cent in the House of the People from at least three different States. It clarified there should be a minimum of 11 MPs among the 543-directly elected representatives, thereby giving weightage to party presence in the Lok Sabha.

For recognition as a State party it would now require securing six per cent of valid votes polled in the State at a general election either to the House of the People or

to the Legislative Assembly of the State concerned and also two seats in the Assembly of the State concerned. The other criteria was that the party could win at least three per cent of the total number of seats in the Legislative Assembly of the State or at least three seats in the Assembly, whichever is more.

The Commission said the amendment has infused five principles which in its view should govern the polity in the country, situated as it is in its present state. One, that legislative presence was a must for recognition as a National or State party, second for a national party, presence in the Lok Sabha and for a State party in the Assembly, third, that in any election a party can set up a candidate only from amongst its own members, fourth was to grant six years time to a party that loses its recognition to retain the symbol and finally, that recognition be given only on the basis of own performance in elections and not because it is a splinter group of some other recognised party.

Interestingly, the six-year relaxation would help nine parties retain their symbols. It includes the Lok Shakti, the Republican Party of India, the United Minorities

Front, the NTR Telugu Desam of Ms. Lakshmi Parvati, the Samajwadi Janata Party (Rashtriya) of Mr. Chandra Shekhar, the Haryana Vikas Party of Mr. Bansi Lal, the Nagaland People's Council, the Janata Party and the Panthers Party.

The revised criteria for recognition shall not be applied to the detriment of any of the existing recognised five national and 45 state parties, the Commission said adding that the current status under the pre-revised criteria shall continue till it is modified after any future general elections to the House of the People or State Legislative assemblies.

Addressing a news conference the Chief Election Commissioner, Dr. M.S. Gill, said the idea was to "simplify, straighten and liberalise" the order. The Commission was not to look for ways to hurt the political parties but promote democracy, he added.

Asked if the CPI(M) would qualify for being recognised as a national party under the revised criteria, Dr. Gill said while he did not wish to discuss specific cases, the Commission would examine judicially any application to it after the amendment.

The CPI(M), which despite 33

MPs in the Lok Sabha was derecognised as a national party after the last general elections, today welcomed the order stating the criteria was "more realistic and takes into account the changed political situation". The Samata Party also said the order was a "good step in the right direction".

## CPI(M) hails decision

NEW DELHI, DEC. 2. CPI(M), which lost its national party status recently, today welcomed Election Commission's (EC) decision to modify the rules for recognising national status of political parties, saying the new criteria were more "realistic".

"The new criteria prescribed by the Commission takes into account the representation and strength of parties in the Lok Sabha. It is more realistic and takes into account the changed political situation," the CPI(M) politburo said in a statement here.

The EC made significant amendments liberalising the election symbols order recognising parties as "National" and "State" which may retrieve the national party status to the CPI(M). — P11

THE HINDU

3 DEC 2001

# Parties should decide on men or women candidates: EC

PRESS TRUST OF INDIA

CHENNAI, Dec. 23. — Political parties should decide whether men or women should be fielded as their candidates. The Election Commission cannot have any say in the matter, Election Commissioner, Mr TS Krishnamurthy said today.

"The Election Commission cannot enact any provision to fix percentages of women candidates for political parties," Mr Krishnamurthy said. He was answering a question on the proposal to ensure reservation for women in legislatures by asking political parties to earmark a specified percentage for women.

Mr Krishnamurthy said the

EC could not legislate but it could try and enforce any political party's constitution if it laid down such reservation for women.

"We can insist that recognised parties should abide by their constitution. Parties should decide whether men or women should contest," Mr Krishnamurthy said. "We need good candidates, male or female." He clarified all these were his personal opinion.

**Uma's reaction:** Mr Atal Behari Vajpayee and Mr LK Advani should convene a meeting of women MPs before calling for an all party meeting to find a solution to the vexed women's reservation Bill, Miss Uma Bharati said in Chennai today, a report from Chennai said.

She blamed the Congress and Mrs Sonia Gandhi for the delay in bringing the bill for discussion in Parliament. Despite the delay in getting the bill passed, the government was optimistic, Miss Bharati said.

**SP for limited reservation:** The Samajwadi Party favours only 10 per cent reservation for women in Parliament and state legislatures and that too through an EC notification, Mr Mulayam Singh Yadav said today.

The women's reservation bill in its present form was "unacceptable" to his party as it would deprive men from contesting large number of Lok Sabha and Assembly seats and their rights to contest.

THE STATESMAN

24 DEC 2000

# EC gets full power over poll staff

PRESS TRUST OF INDIA

NEW DELHI, Dec. 29. — After years of legal wrangling with the Centre, the Election Commission has got full disciplinary control over officials deputed on election duty.

The CEC, Mr MS Gill, said today the Centre has issued a directive to the states and Union Territories explaining the EC's power over officials, staff and police deputed to perform election duties.

"It's not that we in the commission feel happy in suspending some people. The commission should also have *brahmastra*," said Mr Gill. The commission should have some effective authority for a very temporary period over the staff on poll duty, he said.

The Centre's directive said the EC's disciplinary functions were extended to "sus-

## CPM GIVEN BACK OLD STATUS

NEW DELHI, Dec. 29. — The CPI-M has regained national party status following amendments liberalising the election symbols order carried out by the EC.

"CPI-M has got back its national status," Mr MS Gill said. The party applied for the national status following amendments in the symbols order on 8 December and the three-member poll panel approved the same on 22 December. A letter conferring the national status is being issued, sources said. — PTI

pending any officer, official or police personnel for insubordination or dereliction of duty, and substituting them by another such person and returning the substituted

individual to the cadre to which he belongs with appropriate report on his conduct."

It said the EC could make recommendation to the competent authority for taking disciplinary action against a poll official for any act of dereliction of duty.

Such recommendation shall be promptly acted upon by the disciplinary authority and the action taken would be communicated to the EC within six months from the date of the recommendation.

The directive said the Centre would also ask the state governments to follow the principles and decisions since a large number of election officials are under their control. On 21 September, the Centre informed the Supreme Court that it has agreed to give the EC complete administrative control over the election staff despite a majority of states opposing it.

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