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The rules for recognition as national and State party

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Why in News: Ahead of the upcoming Karnataka Assembly elections, the Arvind Kejriwal-led Aam Aadmi Party (AAP) received a shot in the arm from the Election Commission of India, as the poll body accorded it the status of a national party recently

Criteria to be recognised as a National party

The Election Commission reviews the poll performance of recognised parties after every State Assembly election or general election to the Lok Sabha.

The rules for recognition as a national party are specified by the Commission in para 6B of the Election Symbols (Reservation and Allotment) Order, 1968.

A party becomes eligible to be accorded national status if it fulfil one of the following conditions:

- (a) if it is recognised as a State party in at least four States,
- (b) if it secures 6% of the total votes polled in four States in the last Lok Sabha or Assembly elections, and in addition, gets four of its members elected to the Lok Sabha, or
- (c) if it wins 2% of seats in the Lok Sabha from at least three different States.

Besides this, the Symbols Order of 1968 was amended in 2016 to give parties one additional "pass over".

As per this amendment, deemed to have been in force since January 1, 2014, if a national or State party fails to fulfil the eligibility criteria in the next general elections (March 2014 Lok Sabha polls in this case) or the assembly election after the election in which it received recognition, it will continue to be recognised as a national or State party, meaning it will not be stripped of its status.

However, whether it will continue to be recognised after any subsequent election would again have to be determined by the eligibility criteria.

For instance, NCP lost its recognition in three States (Goa, Manipur, and Meghalaya) where it did not secure enough assembly votes between 2017 and 2018. It is currently a State party in only two States, Maharashtra, where it got 16.71% of the votes in the 2019 Assembly elections, and Nagaland, where it made inroads earlier this year.

Lastly, the CPI, which was accorded national status in 1989, also retained its status despite its performance in the 2014 Lok Sabha election, courtesy the amendment to the Symbols Act. At the time, the party had State party recognition in Kerala, Tamil Nadu, and Manipur but lost it in Odisha and West Bengal. In Assembly elections and one Lok Sabha election between 2016 and 2019, the party could, once again, only retain State recognition in three States.

Criteria to be recognised as a State party

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For recognition as a State party, it has to secure at least 6% of the valid votes polled and two seats in Assembly polls or one in Lok Sabha polls. There are three other alternatives for eligibility-

- (a) in General Elections or Legislative Assembly elections, the party has to win 3% of seats in the legislative assembly of the State (subject to a minimum of 3 seats),
- (b) in a Lok Sabha General Election, the party has to win 1 Lok Sabha seat for every 25 Lok Sabha seats allotted for the State, or
- (c) in a General Election to Lok Sabha or Legislative Assembly, the party has to poll 8% of votes in a State

Besides the changes to the State recognitions of the TMC, NCP, and CPI, the ECI also revoked State party status granted to Rashtriya Lok Dal in Uttar Pradesh, Bharat Rashtra Samithi in Andhra Pradesh, People's Democratic Alliance in Manipur, Pattali Makkal Katchi in Puducherry, Revolutionary Socialist Party in West Bengal and the Mizoram People's Conference in Mizoram. The Tipra Motha in Tripura, Lok Janshakti Party (Ram Vilas) in Nagaland and Voice of the People Party in Meghalaya were granted "recognised State political party" status.

Benefits of recognition as national party

If a party becomes a national party, then:

It is entitled to certain privileges and perks, such as reserved party symbols, and the party's candidates get more airtime on television and radio during elections.

Right to use a reserved symbol: A national party is given the right to use a reserved symbol for all elections held throughout the country. This symbol is exclusive to the party and cannot be used by any other party.

National Presence: A national party can contest elections across the country and can field candidates in any state, which helps in expanding its base and influence.

More 'Star Campaigners': A national party can engage 40 'star campaigners' as opposed to 20 such campaigners allotted to a registered unrecognised party. Star campaigners' expenses are not added to the party's overall costs of running an election campaign.

Government Land Allocation: A party with the 'national' status gets land from the government to build its headquarters.

Single Proposer: National parties need to have just one proposer to submit a nomination. They are given two free sets of electoral rolls during the roll revision. They also get one free electoral roll for each candidate during general elections.

Effects of no longer being a National Party

Once a party loses its national party status, then:

Election symbol will no longer be visible on the first few names in EVM or ballot paper as national party names feature first in EVM or voter list.

Party will not get assured calls for meetings whenever EC call an all-party meet

Political funding might get affected.

Curtailed on air time.

Less number of star campaigners during elections.

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Conclusion

At the heart of the decision is the will of the voter. If voters want to make a party national, it will be reflected in the way voting happens. If voters don't want parties to become national, that will also be decided by the voting pattern