

ELECTION COMMISSION DELISTING: POLITY

ECI begins process of delisting another 476 Registered Unrecognised Political Parties

The Election Commission of India (ECI) has initiated proceedings to delist 476 Registered Unrecognised Political Parties (RUPPs) for six years of electoral inactivity, highlighting issues of tax abuse, lack of internal democracy, and gaps in the Representation of the People Act, 1951. The move revives debates on empowering the ECI with explicit de-registration powers.

Election Commission's Delisting of RUPPs (2025 Context)

Recent Development

ECI initiated proceedings to delist 476 Registered Unrecognised Political Parties (RUPPs) for six years of electoral inactivity. These parties neither contested elections nor fulfilled compliance obligations, yet enjoyed statutory privileges. The Commission has directed Chief Electoral Officers (CEOs) of respective states/UTs to issue show-cause notices to the identified parties before final delisting.

Need for Delisting

Electoral Inactivity

Many RUPPs remain dormant for six consecutive years without contesting elections.

Misuse of Privileges

Despite inactivity, they enjoy tax exemptions, election symbols, and campaign privileges.

Financial Accountability Issues

Potential misuse of tax benefits under Section 13A of the Income Tax Act.

Transparency & Integrity

Non-participating parties weaken the credibility of the electoral system. Possible misuse for money laundering, benami transactions, or political fronts.

Legal Basis for Delisting

Representation of the People Act (RPA), 1951

Section 29A: Grants ECI power to register political parties. Removal possible if guidelines violated (e.g., failure to contest, misreporting, or non-compliance).

Due Process

ECI issues show-cause notices to parties before delisting them.

Limitations

The Act currently lacks explicit provisions for de-registration due to inactivity.

(Registered Unrecognised Political Parties) RUPPs

Parties registered with the ECI under Section 29A of RPA, 1951 but not recognised as National or State parties. Examples, Akhil Bharat Hindu Mahasabha (ABHM), Hindustan Nirman Dal (HND), Social Democratic Party of India (SDPI). They form the majority of India's political parties but have limited electoral presence.

Process of Registering a Political Party

Legal Framework, Governed by Section 29A of the RPA, 1951.

Requirements, Party must apply to ECI within 30 days of formation.

Submit party constitution affirming allegiance to:

1. Constitution of India

2. Principles of socialism, secularism, democracy
3. Sovereignty, unity, integrity of India
4. Commitment to hold periodic internal elections.

Outcome

Party is registered as a Registered Unrecognised Political Party (RUPP) until it qualifies for recognition.

Benefits Enjoyed by RUPPs

Tax Exemption

Under Section 13A of Income Tax Act, 1961.

Election Symbol

Eligible to choose from a pool of free symbols (under Election Symbols Order, 1968).

Campaign Benefit

Can nominate up to 20 star campaigners.

Political Parties in India (2025 Snapshot)

Total Registered Parties: 2,520 (as of August 2025, post-delisting drive).

Recognised Parties enjoy additional privileges

1. Reserved election symbol
2. Free copies of electoral rolls
3. Broadcast/telecast slots on Doordarshan & Akashvani
4. Subsidised land/office space
5. Nomination of up to 40 star campaigners

Types of Recognised Parties

1. National Parties (6 in 2025)

1. Bharatiya Janata Party (BJP)
2. Bahujan Samaj Party (BSP)
3. Communist Party of India (CPI)
4. Communist Party of India (Marxist) [CPI(M)]
5. Indian National Congress (INC)
6. Nationalist Congress Party (NCP)

2. State Parties (67 in total; vary by state)

1. All India Forward Bloc (AIFB) – West Bengal
2. Janata Dal (United) [JD(U)] – Bihar
3. Shiromani Akali Dal (SAD) – Punjab
4. Shiv Sena (SHS) – Maharashtra

Recognition Criteria (Election Symbols Order, 1968)

State Party

1. Wins 6% valid votes in Assembly + 2 MLAs, OR
2. Wins 6% valid votes in Lok Sabha from state + 1 MP, OR
3. Wins 3% Assembly seats or 3 seats (whichever higher), OR
4. Has 1 MP per 25 Lok Sabha seats of that state, OR
5. Gains 8% of total valid votes in last Assembly/Lok Sabha election in the state.

National Party

1. Recognised as a State Party in at least 4 states, OR
2. Secures 6% valid votes in 4+ states & wins 4 Lok Sabha seats, OR
3. Wins 2% Lok Sabha seats (11 seats) from at least 3 states.

Challenges regarding RUPPs

Tax Abuse

Many function only as letter pad parties, exploiting Section 13A tax exemptions.

Lack of Internal Democracy

Parties rarely conduct inner elections or maintain transparency.

Legal Constraints

ECI lacks clear de-registration powers under RPA.

Supreme Court in *Indian National Congress vs Institute of Social Welfare* (2002)

ECI can de-register only in exceptional cases.

Gaps in RPA

No provisions for de-registration in cases of:

1. Non-contesting elections
2. Failing to hold internal elections
3. Not filing financial statements

Recommendations

1. Law Commission 255th Report (2015)

Deregister parties if inactive for 10 years.

2. ECI Proposal (2016)

Amend RPA to explicitly empower ECI with de-registration authority.

3. Law Commission's 170th & 255th Reports

Embed internal democracy provisions within the RPA. Make inner-party elections and financial transparency legally enforceable.

Source: <https://www.thehindu.com/news/national/eci-begins-process-of-delisting-another-476-registered-unrecognised-political-parties/article69920319.ece>