

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI – 110001

No.ECI/PN/25/2010

Dated:9th July, 2010

PRESS NOTE

Subject: Clarification in the matter of registration of a political party (YSR Congress Party) under section 29A of the Representation of the People Act, 1951.

Attention of the Commission has been drawn to reports in some section of media that a new party by the name of 'YSR Congress Party' has filed an application with the Commission for its registration as a political party.

It is clarified that an application in the name of 'YSR Congress Party' for its registration under section 29A of the Representation of the People Act, 1951 by one Shri Mahaboob Basha was received in the Commission on 13.11.2009. Shri Mahaboob Basha is mentioned as the president of the proposed party and the address of the proposed party is D.No.7/2(A), Chila Kala, Bavi Street, Kadapa, Andhra Pradesh – 516001. According to the application the party (association) was formed on 18.09.2009.

Registration as a political party is granted under section 29A of the Representation of the People Act, 1951. As per sub-section 2(b) of aforesaid section 29A, the application shall be made within 30 days next following the date of formation of the association or body.

Upon examination of the application in the Commission it was noticed that, the application of proposed 'YSR Congress Party' was made on 13.11.2009 whereas the party/association was formed on 18.09.2009. Thus the application was not made within 30 days next following the date of its formation and therefore, had become time barred in accordance with sub-section 2(b) of section 29A of the Representation of the People Act, 1951. As a result, Commission was in no position to entertain and process the application any further. This position was explained to the applicant vide Commission's letter No. 56/197/2009/PPS-1/77 dated 30.11.2009 and the application fee of Rs.10,000/- was returned therewith.

The applicant thereafter represented before the Commission on 29.12.2009 for reconsideration of his case on the grounds that while on 18.09.2009 an association was formed, on 05.11.2009 the association resolved to convert itself into a political party. Therefore, the date of formation of the political party should be taken as 05.11.2009 and therefore they were not time barred. This submission was also examined in the Commission. The facts as claimed by the petitioners were not borne out from the petition. Therefore, the request of the applicant could not be acceded to and the applicant was informed of the Commission's decision vide its letter No.56/197/2009/PPS-1/301 dated 11.05.2010.

The applicant has once again submitted the application dated 28.05.2010 on 01.06.2010 for reconsideration of his case. No new facts have been adduced.

The prevailing law does not provide for extension of time for the purpose of making an application for the registration of a political party. There is also no provision to condone the stipulated time of 30 days. The current status is that the application made by Shri Mahaboob Basha for registration of 'YSR Congress Party' as a political party is time barred and cannot be entertained by the Commission.

On 05.07.2010 the Commission has received another application from one Shri S. Venkataramana Reddy of D.No.7-1-429, Gandhi Nagar Street, Siddavatam Road, Dadwel Post Village Town Mandal, Kadapa District, Andhra Pradesh seeking to register a political party by the name of 'YSR Praja Party'. This application is being examined in the Commission in accordance with due procedure. Further action will be taken in accordance with extant provisions.

(VARINDER KUMAR)
SECRETARY