

# **Election Commission of India Q&A Sample Document**

## **Resident Electors**

Q: What are the main categories of electors in India?

A: There are 3 categories of electors in India:– (i) General electors, (ii) Oversees (NRI) electors , (iii) Service.

Q: Who is eligible to be registered as a general elector?

A: Every Indian citizen who has attained the age of 18 years on the qualifying date i.e. first day of January of the year of revision of electoral roll, unless otherwise disqualified, is eligible to be registered as a voter in the roll of the part/polling area of the constituency where he is ordinarily resident.

Q: What is the relevant date for determining the age of 18 years? Can I get myself registered as a voter on the day when I have completed 18 years of age?

A: According to Section 14 (b) of the Representation of People Act, 1950 the relevant date (qualifying date) for determining the age of an applicant is the first day of January of the year in which the electoral roll after revision is finally published. For example, if you have completed or are completing 18 years of age on any date from and after 2nd January 2013 but upto to 1st January 2014, you will be eligible for registration as a voter in the elector roll going to be finally published in January, 2014.

Q: Can a non-resident Indian settled in foreign land become an elector of electoral roll in India?

A: Yes. According to the provisions of Sec 20A of the Representation of People Act, 1950 by the Representation of the People (Amendment) Act, 2010, a person who is a citizen of India and who has not acquired the citizenship of any other country and is otherwise eligible to be registered as a voter and who is absenting from his place of ordinary residence in India owing to his employment, education or otherwise is eligible to be registered as a voter in the constituency in which his place of residence in India as mentioned in his passport is located. (For more information, please refer to 'Frequently Asked Questions – Overseas Electors')

## **Registration of Political Parties**

Q: Is it necessary for an association to get registered by the Election Commission?

A: No It is not necessary for every association to get registered by the Election Commission. Only an association or body of individual citizens of India calling itself a political party and intending to avail itself of the provisions of Part-IV-A of the Representation of the People Act,

1951, (relating to registration of political parties) is required to get itself registered with the Election Commission of India.

Q: What is the procedure for registration?

A: An application for registration is to be submitted to the Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110001 in the proforma prescribed by the Commission. The Proforma is available on request by post or across the counter from the office of the Commission. The proforma and necessary guidelines are also available on the Commission's website under the main heading Judicial References, sub-heading Political Party and sub-sub-heading Registration of Political Parties

Q: What are the criteria for recognition of a party?

A: A political party shall be treated as a recognised political party in a State, if and only if either the conditions specified in Clause (A) are, or the condition specified in Clause (B) is, fulfilled by that party and not otherwise, that is to say- (A) that such party – has been engaged in political activity for a continuous period of five years; and has, at the last general election in that State to the House of the People, or, as the case may be, to the Legislative Assembly of the State, returned- either ( i ) at least one member to the House of the People for every twenty-five members of that House or any fraction of that number from that State; or (ii) at least one member to the Legislative Assembly of that State for every thirty members of that Assembly or any fraction of that number; (B) that the total number of valid votes polled by all the contesting candidates set up by such party at the last general election in the State to the House of the People, or as the case may be, to the Legislative Assembly of the State, is not less than six per cent of the total number of valid votes polled by all the contesting candidates at such general election in the State. 2. The conditions in Clause (A) or Clause (B) above shall not be deemed to have been fulfilled by a political party, if a member of the House of the People or the Legislative Assembly of the State becomes a member of that political party after his election to that House or, as the case may be, that Assembly.

## **Model Code of Conduct**

Q: What is the Model Code of Conduct?

A: The Model Code of Conduct for guidance of political parties and candidates is a set of norms which has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code and also binds them to respect and observe it in its letter and spirit.

Q: From which date the Model Code of Conduct is enforced and operational upto which date?

A: The Model Code of Conduct is enforced from the date of announcement of election schedule by the Election Commission and is operational till the process of elections are completed.

Q: What are the salient features of the Model Code of Conduct?

A: The salient features of the Model Code of Conduct lay down how political parties, contesting candidates and party(s) in power should conduct themselves during the process of elections i.e. on their general conduct during electioneering, holding meetings and processions, poll day activities and functioning of the party in power etc. ON OFFICIAL MACHINERY

Q: Whether Govt. can make transfers and postings of officials who are related to election work?

A: There shall be a total ban on the transfer and posting of all officers/officials directly or indirectly connected with the conduct of the election. If any transfer or posting of an officer is considered necessary, prior approval of the Commission shall be obtained.

Q: Whether Ministers are entitled for official vehicle during the election?

A: Ministers are entitled to use their official vehicles only for commuting from their official residence to their office for official work provided that such commuting is not combined with any electioneering or any political activity.

Q: Whether a Chief Minister/Minister/Speaker can attend a "State Day" function of a State?

A: There is no objection provided that he does not make any political speech on the occasion and the function is to be conducted only by Govt. officials. No advertisement depicting the photograph of Chief Minister/Minister/Speaker shall be released.

Q: How the Govt. may meet the emergency situation or unforeseen calamities, when there are restrictions for announcing welfare measures?

A: For tackling emergencies or unforeseen calamities like providing relief to people suffering from drought, floods, pestilences, other natural calamities or welfare measures for the aged, infirm etc., Govt. may do so after obtaining prior approval of the Commission and all ostentatious functions shall be strictly avoided and no impression shall be given or allowed to be created that such welfare measures or relief and rehabilitation works are being undertaken by the Government in office with any ulterior motive.