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ELECTION COMMISSION OF INDIA

New Delhi

Dated the 26th April, 1980

Vaisakha 6, 1902(S)

NOTIFICATION

S.O. Whereas the Election Commission is satisfied, on information in its possession and after hearing the counsels and other representatives for both the groups on 23rd and 26th April, 1980, that there are two rival sections or groups of the Janata Party, (Secular), a Notional Party, each of whom claims to be that party, one such section or group being led by Shri Raj Narain and the other being led by Ch. Charan Singh;

And whereas the matter required to be decided by the Commission in terms of paragraph 15 of the Election Symbols (Reservation and Allotment) Order, 1968 (hereinafter referred to as the 'Symbol Orders') as to which of such rival sections or groups is the said Janata Party (Secular).

And whereas the above dispute in terms of paragraph 15 of the Symbols Order cannot be decided before the process of nominations closes on the 2nd May, 1980 for the purposes of the general elections to the Legislative Assemblies of the States of Bihar, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh which have already been called by the Governors of the respective States on the 25th April, 1980 by issuance of Notification under section 15 of the Representation of the People Act, 1951;

And whereas the Commission considers that in the interest of justice and fair-play none of the above said rival groups or sections of the said Janata Party (Secular) should have an advantage over the other group or section at the said general elections by using the name of the said Janata Party (Secular) or the symbol 'Farmer Ploughing the Field (Khet Jotata Hua Kisan)' reserved for that party;

And whereas the Commission further considers that in the interest of free and fair elections both the above said rival sections or groups should have the opportunity of contesting the above said general elections on separate symbols reserved for each of them;

Now, therefore, in exercise of the powers conferred on the Election Commission by article 324 of the Constitution read with rules 5 and 10 of the Conduct of Elections Rules, 1961, paragraph 3, 6, 7, 8 and 18 of the Election Symbols (Reservation and Allotment) Order, 1968 and all other powers enabling it in this behalf, pending final orders in the dispute between the two rival sections or groups of the said Janata Party (Secular) referred to in paragraph 1 above, the Commission hereby orders that:—

- i) the group of the Janata Party (Secular) led by Shri Raj Narain be known as 'Janata Party (Secular)—Raj Narain' and the other group of the Janata Party (Secular) led by Ch. Charan Singh be known as 'Janata Party (Secular)—Ch. Charan Singh';
- ii) the said 'Janata Party (Secular)—Raj Narain' and 'Janata Party (Secular)—Ch. Charan Singh' be granted AD HOC recognition as Parties for the only purpose of general elections to the Legislative Assemblies of the States of Bihar, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh, now in progress;
- iii) the symbol 'Bicycle' be reserved for the said 'Janata Party (Secular)—Raj Narain' and the symbol 'Woman' be reserved for the said 'Janata Party (Secular)—Ch. Charan Singh' only in the said nine States.

2. In pursuance of clauses (a) and (d) of sub-para (1) and sub-para (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Commission hereby further directs that the following amendments shall be made to its notification No. 56/79 dated 28th September, 1979 published as S.O. 557(E) in the Gazette of India, Extraordinary, Part II, Section 3(ii) dated 28th September, 1979, and as amended from time to time, namely—

In TABLE 1 appended to the said Notification—

1. For the existing entry "6, Janata Party (Secular)
Farmer Ploughing the Field (Khet Jotata Hua Kisan)" the following entries shall be substituted—

- | | |
|---|------------|
| "6. Janata Party (Secular)—Raj Narain | — Bicycle* |
| 7. Janata Party (Secular) Ch. Charan Singh. | — Woman* |

*Reserved in the States of Bihar, Gujarat, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh for the duration of the elections to Legislative Assemblies called on the 25th April, 1980."

II. IN TABLE 4 appended to the said Notification—

- i) against item No. 3. Bihar, under column 2, the entries "2. Bicycle" and "28. Woman" shall be deleted and the existing entries 3 to 27 shall be renumbered as 2 to 26 and entries 29 to 52 shall be renumbered as 27 to 50;
- ii) against item No. 4. Gujarat, under column 2, the entry "1. Bicycle" shall be deleted and the existing entries 2 to 15 shall be renumbered as 1 to 14;
- iii) against item No. 10. Madhya Pradesh, under column 2, the entries "1. Bicycle" and "52. Woman" shall be deleted and the existing entries 2 to 51 shall be renumbered as 1 to 50;
- iv) against item No. 11. Maharashtra, under column 2, the entries "2. Bicycle" and "48. Woman" shall be deleted and the existing entries 3 to 47 shall be renumbered as 2 to 46;
- v) against item No. 15. Orissa, under column 2, the entry "2. Bicycle" shall be deleted and the existing entries 3 to 13 shall be renumbered as 2 to 12;
- vi) against item No. 16 Punjab, under column 2, the entry "1. Bicycle" shall be deleted and the existing entries 2 to 22 shall be renumbered as 1 to 21;
- vii) against item No. 17. Rajasthan, under column 2, the entry "1. Bicycle" shall be deleted and the existing entries 2 to 24 shall be renumbered as 1 to 23;
- viii) against item No. 19. Tamil Nadu, under column 2, the entry "2. Bicycle" shall be deleted and the existing entries 3 to 21 shall be renumbered as 2 to 20; and
- ix) against item No. 21. Uttar Pradesh, under column 2, the entry "2. Bicycle" shall be deleted and the existing entries 3 to 27 shall be renumbered as 2 to 26.

[No. 56/79—XII]

By order,

K. GANESAN
SECRETARY