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ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi-110001.

Dated. 16. 2. 1994.

Election Symbols (Reservation and Allotment) Amendment Order, 1994.

ORDER

In exercise of the powers conferred by Article 324 of the Constitution read with Section 29A of the Representation of the People Act, 1951 (43 of 1951) and Rules 5 and 10 of the Conduct of Elections Rules, 1961 and all other powers enabling it in this behalf, the Election Commission of India hereby makes the following Order to further amend the Election Symbols (Reservation and Allotment) Order, 1968 :-

1. SHORT TITLE : (1) This Order may be called the Election Symbols (Reservation and Allotment) Amendment Order, 1994.

(2) It shall come into force on the date of its publication in the Gazette of India.

2. INSERTION OF NEW PARAGRAPH 16A : In the Election Symbols (Reservation and Allotment) Order, 1968, after Paragraph 16, the following paragraph shall be inserted namely :-

"16A. Power of Commission to suspend or withdraw recognition of a recognised political party for its failure to observe Model Code of Conduct or follow lawful directions and instructions of the Commission.

Notwithstanding anything in this Order, if the Commission is satisfied on information in its possession that a political party, recognised either as a National Party or as a State Party under the provisions of this Order, has failed or has refused or is refusing or has shown or is showing defiance by its conduct or otherwise (a) to observe the provisions of the 'Model Code of Conduct for Guidance of Political parties and Candidates' as issued by the Commission in January, 1991 or as amended by it from time to time, or (b) to follow or carry out the lawful directions and instructions of the Commission given from time to time with a view to furthering the conduct of free, fair and peaceful elections or safeguarding the interests of the general public and the electorate in particular, the Commission may, after taking into account all the available facts and circumstances of the case and after giving the party a reasonable opportunity of showing cause in relation to the action proposed to be taken against it, either suspend, subject to such terms as the Commission may deem appropriate, or withdraw the recognition of such party as the National party or, as the case may be, the State party."

By order and in the name of the
Election Commission of India,
(F. No.56 Amendment/94/J.S.II),

K.P.G. Kutty,
Secretary.