

By Speed Post

## **ELECTION COMMISSION OF INDIA**

**Nirvachan Sadan, Ashoka Road, New Delhi- 110001**

No.56/01/Dispute/PPS-II/2021

Date: 2<sup>nd</sup> October, 2021

To

Sh. Chirag Paswan, 12, Janpath, New Delhi – 110001,	Sh. Pashupati Kumar Paras, 18, Dr Rajendra Prasad Road, New Delhi – 110001,
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Subject: Dispute Case No.1 of 2021- Under Para 15 of the Election Symbols (Reservation and Allotment) Order, 1968, Dispute in Lok Janshakti Party, a recognized Party in the State of Bihar - Commission's Interim Order- regarding.

Sir,

I am directed to forward herewith a certified copy of Commission's Interim Order dated 2<sup>nd</sup> October, 2021, passed in the matter of the dispute case of Lok Janshakti Party, having its reserved symbol 'Bungalow'.

Yours faithfully,



**(Manish Kumar)**  
Under Secretary

**E-mail: mnayak86@eci.gov.in**  
**Extn no – 487, Ph.no – 23052008**

Copy to:

1. Email to All Chief Electoral Officers
2. Guard File



भारत निर्वाचन आयोग  
Election Commission of India

निर्वाचन सदन  
NIRVACHAN SADAN  
अशोक रोड, नई दिल्ली - 110001  
ASHOKA ROAD, NEW DELHI-110001

**BEFORE THE ELECTION COMMISSION OF INDIA**

CORAM :

HON'BLE  
SH. ANUP CHANDRA PANDEY  
ELECTION COMMISSIONER

HON'BLE  
SH. SUSHIL CHANDRA  
CHIEF ELECTION COMMISSIONER

HON'BLE  
SH. RAJIV KUMAR  
ELECTION COMMISSIONER

**Dispute Case No. 01 of 2021**

**In re: Dispute Case No. 01 of 2021 - Dispute in Lok Janshakti Party —  
dispute under Paragraph 15 of the Election Symbols (Reservation &  
Allotment) Order, 1968.**

Shri Chirag Paswan and others

Vs.

Sh. Pashupati Kumar Paras and others

  
के. एन. भार / K. N. BHAR  
व. प्रधान सचिव / Sr. Principal Secretary  
भारत निर्वाचन आयोग  
Election Commission of India  
निर्वाचन सदन / Nirvachan Sadan  
अशोक रोड / Ashoka Road  
नई दिल्ली-110001 / New Delhi-110001

**ORDER**

The Lok Janshakti Party ('LJP' for short) is a recognised State Party in the State of Bihar with the symbol 'Bungalow' allotted as its reserved symbol in the said State under the provisions of the Election Symbols (Reservation and Allotment) Order, 1968 ('Symbols Order' for short). As per the provisions of the Constitution of LJP, at the apex level, the party has a National President and a National Executive.

2. On 14<sup>th</sup> June, 2021, Sh. Pashupati Kumar Paras made the claim that he had been elected as leader of LJP in Parliament. On 17.6.2021, Sh. Surajbhan Singh claimed that Sh. Paras has been elected as President of LJP. Thereafter, vide letter of 19.06.2021, Sh. Paras informed the Commission of the newly formed National Executive Committee of LJP with 2 Vice President, 5 General Secretary and one

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“मजबूत लोकतंत्र - सबकी भागीदारी”  
“Greater Participation for a Stronger Democracy”

Secretary.

3. Sh. Chirag Paswan vide his letters dated 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> June and 12<sup>th</sup> July, 2021, inter alia, informed the Commission about the LJP party suspending five MPs of LJP namely Sh. Pashupati Kumar Paras, Smt. Beena Devi, Sh. M.A. Qaiser, Sh. Chandan Singh & Sh. Prince Raj. A complaint was received via mail dated 22.6.2021 from Sh. Raju Tiwari, seeking a ban on the use of the name of the Party and its Symbol by the expelled members and sought time and opportunity to be given by the Commission to his "Party", led by Sh. Chirag Paswan, before taking note of any claim by rival group.

4. The Commission, on 13<sup>th</sup> August, 2021, exchanged the documents between both the groups and instructed them to furnish their comments in the matter.

5. Sh. Chirag Paswan vide his letter dated 10<sup>th</sup> September, 2021 reiterated the claim for the post of National President of the party. Further, vide the letter of 23.09.2021 the group led by Sh. Chirag Paswan sought rejection of any claim by Sh. Pashupati Kumar Paras regarding allotment of symbol in the forthcoming Bye-elections in Bihar. Vide its letter dated 29.09.2021, the group has requested for allotment of symbol 'Bungalow' in the forthcoming bye-elections. Sh. Chirag Paswan in his oral submission to the Commission on 01.10.2021 reiterated the position indicated in his previous references mentioned in para 3 above commencing from 15.06.2021 and up to 29.09.2021 and sought decision from the Commission before the last date of nomination i.e. 08.10.2021.

6(a). Shri Pashupati Kumar Paras vide his letter dated 10.9.2021 sought two more-weeks' time to furnish comments. Subsequently, on 23.9.2021, Shri Paras sought allotment of the party's symbol and extension of four more-weeks' time to furnish comments, while forwarding Form-A and Form-B.

6(b). The Commission vide its letter dated 27.09.2021 granted two weeks' time i.e. upto 8.10.2021 to Shri Paras to furnish his reply.

6(c). Shri Paras vide his letter dated 28.09.2021 has reiterated his claim for the post of National President of the Party. Further, he has stated that the Lok Sabha Secretariat's Circular No. 32627 dated 14.06.2021, which reflected the name of Sh. Pashupati Kumar Paras as the leader of the LJP in Lok Sabha, came to be challenged before Hon'ble Delhi High Court in Writ Petition (Civil)

श्री. पी. सी. शर्मा / K. N. BHAR  
उ. प्रा. सचिव / Sr. Principal Secretary  
आरक्षण आयोग / Election Commission of India  
भारत शा. / Nirvachan Sadan  
आशुका रोड / Ashoka Road  
दिल्ली-110001 / New Delhi-110001

No.6352/2021 titled as Chirag Paswan & Anr. Vs. Lok Sabha Secretary & Ors. In this matter, the High Court of Delhi dismissed the relief sought by Chirag Paswan vide its judgement dated 09.07.2021.

7. A relevant development, having significant bearing on the matter at hand, is that the Commission vide its Press Note No. ECI/PN/83/2021 dated 28<sup>th</sup> September, 2021 announced holding of the Bye-elections to fill vacancies in three (3) Parliamentary Constituencies of UT of Dadra & Nagar Haveli and Daman & Diu, Madhya Pradesh and Himachal Pradesh and thirty (30) vacancies in Assembly Constituencies of various States including 78-Kusheshwar Asthan (SC) and 164-Tarapur Assembly Constituencies in Bihar. The date of notification for the above Bye-elections is 01<sup>st</sup> October, 2021 and the last date to file nomination is 08<sup>th</sup> October, 2021.

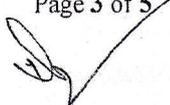
8. Meanwhile, the Chief Electoral Officer, Bihar vide his letter dated 30<sup>th</sup> September, 2021 has sought directions from the Commission, anticipating that both the groups are likely to field their candidates in the forthcoming bye-elections and both will claim the Party name & the Symbol.

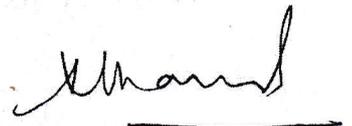
9. From the totality of information available on record with the Commission (as summarized above) and the oral representation made by Shri Chirag Paswan on 01.10.2021, the Commission is of the opinion that there are 2 rival groups in LJP Party led by Shri Chirag Paswan and Shri Pashupati Kumar Paras and each group is now claiming to be the party and therefore the matter requires a substantive determination by the Commission under Para 15 of the Election Symbols (Reservation & Allotment) Order 1968.

10. Para 15 of the Election Symbols (Reservation & Allotment) Order, 1968 which states that – *“When the Commission is satisfied on information in its possession that there are rival sections or groups of a recognized political party each of whom claims to be that party, the Commission may, after taking into account all the available facts and circumstances of the case and hearing such representatives of the sections or groups and other persons as desire to be heard, decide that one such rival section or group or none of such rival sections or groups is that recognized political party and the decision of the Commission shall be binding on all such rival sections or groups.”*

श्री. पी. एन. बिहार  
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Election Commission of India  
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श्री. पी. एन. बिहार / New Delhi-110001

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**“Bungalow”, reserved for “Lok Janshakti Party”;**

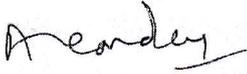
- c) Both the groups shall be known by such names by as they may choose for their respective groups, including, if they so desire, linkage with their parent party “Lok Janshakti Party”; and
- d) Both the groups shall also be allotted such different symbols as they may choose from the list of free symbols notified by the Election Commission for the purposes of the current bye-elections, including 78-Kusheshwar Asthan (SC) and 164-Tarapur Assembly Constituencies in Bihar.

14. Accordingly, both the groups are hereby directed to furnish, latest by 01:00 PM on Monday, 4<sup>th</sup> October, 2021:

- (i) The names of their groups by which they may be recognized by Commission, and
- (ii) The symbols which may be allotted to the candidates set up, if any, by the respective groups. They may indicate the names of **three** free symbols, in the order of their preference, anyone of which may be allotted to their candidates by the Commission;

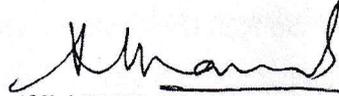
15. Independent of the interim directions contained in paras 13 & 14 above, both groups are directed to submit, by November 5<sup>th</sup> 2021, their respective documents to support their claims as enumerated in para 11 above, for the Commission to take the next steps to conclude the substantive hearing under Para 15 with reference to dispute No. 1 of 2021.

ORDERED ACCORDINGLY



(SH. ANUP CHANDRA PANDEY)  
ELECTION COMMISSIONER

New Delhi the 2<sup>nd</sup> October, 2021



(SH. SUSHIL CHANDRA)  
CHIEF ELECTION COMMISSIONER



(SH. RAJIV KUMAR)  
ELECTION COMMISSIONER

