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Election Commission of India

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Election Commission of India

Introduction

- The Election Commission of India is an autonomous constitutional body responsible for administering election processes in India.
- EC administers elections to the Lok Sabha, Rajya Sabha, state legislatures, and the offices of the President and Vice President in the country
- EC does not deal with the elections to the Municipalities and Panchayats in the states. State Election Commission deals with that.

Article 324

The Constitution provides the Election Commission of India with the power of direction, superintendence, and control of elections to parliament, state legislatures, the office of president of India, and the office of vice-president of India.

Logo



Composition of EC

- According to Constitution: The election commission shall consist of the Chief Election Commissioner and a such number of other election commissioners, if any, as the president may from time to time fix.
- Currently, Election Commission functions as a multi-member body comprising of 3 commissioners.
- Chief Election Commissioner is the chairman of the election commission, however, his powers are equal to the other election commissioners.
- In case of difference of opinion amongst the Chief Election Commissioner and/or two other election commissioners, the matter is decided by the Commission by a majority.
- The Chief Election Commissioner and the two other election commissioners receive equal salary, allowances and other benefits.

Appointment

- The appointment of the chief election commissioner and other election commissioners shall be made by the president.
- When any other election commissioner is so appointed the chief election commissioner shall act as the chairman of the election commission.
- The president may also appoint after consultation with the election commission such regional commissioners as he may consider necessary to assist the election commission.
- The conditions of service and tenure of office of the election commissioners and the regional commissioners shall be such as the President may by rule determine.

Tenure

- hold office for 6 years or till they attain the age of 65 years, whichever is earlier.
- The president can remove any of the commissioners following the procedure provided in the constitution.
- can resign at any time by addressing their resignation to the president

Powers and Functions of EC

- Determines the territorial area of the electoral constituencies in accordance with the Delimitation Commission Act.
- Preparing and notifying the schedule of the election.
- Preparing the electoral rolls and revising them from time to time. It registers all the eligible voters.
- Registering political parties and granting recognition to them. It provides election symbols to the political parties.
- Providing the status of national or state parties to the political parties on the basis of their performance in the elections.
- EC acts as the court to look into disputes regarding the recognition of political parties and allotment of symbols to them.
- Preparing the time table for the publicity of the policies and programs of political parties through TV and radio.
- Appointing officers to enquire into disputes relating to electoral arrangements.
- Ensuring that the model code of conduct is followed by all the political parties and all the candidates.
- It gives advice to the president on matters relating to the disqualification of the members of the parliament.
- EC also advises the governor of the state on matters relating to the disqualification of the members of the state legislature.
- EC can also request the president or the governor for the necessary staff required for conducting elections.
- EC has power to cancel polls in the event of irregularities and wrongdoings during an election.
- It also advises the president whether the elections can be held in a state under president's rule.

Important Articles Related to Election Commission of India

- Article 324: Superintendence, direction and control of elections to be vested in an Election Commission.
- Article 325: No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.
- Article 326: Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.
- Article 327: Power of Parliament to make provision with respect to elections to Legislatures.
- Article 328: Power of Legislature of a State to make provision with respect to elections to such Legislature.
- Article 329: Bar to interference by courts in electoral matters.

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