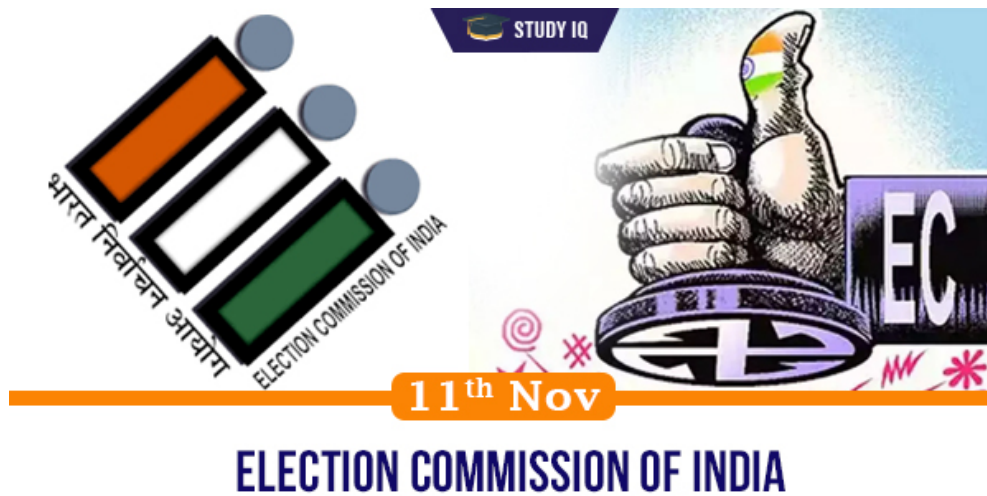


## ELECTION COMMISSION OF INDIA



### Issue

The results of assembly and by-poll elections for Bihar and other states were declared by the Election Commission.

### Details

- The Election Commission of India is an autonomous constitutional authority responsible for administering election processes in India at national and state.
- The Election Commission operates under the authority of Constitution per **Article 324**.
- The body administers elections to the Lok Sabha, Rajya Sabha, state Legislative Assemblies, state legislative Councils, and the offices of the President and Vice President of the country.
- The chief and the two other election commissioners have the same powers and emoluments including salaries, which are the same as a Supreme Court judge.
- 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 Constitution has **not prescribed the qualifications** (legal, educational, administrative or judicial) of the members of the Election Commission.
- The Constitution has **not debarred** the retiring election commissioners from any further appointment by the government.

- The chief election commissioner is provided with **security of tenure**. He cannot be removed from his office except in the same manner and on the same grounds as a judge of the Supreme Court.
- He does not hold his office until the pleasure of the president, though he is appointed by him. The service conditions of the chief election commissioner cannot be varied to his disadvantage after his appointment.

### Appointment

The office is held by them for a term of **6 years** or until they attain **65 years**, whichever happens first. They can also be removed or can resign at any time before the expiry of their term.

### Removal

- The Chief Election Commissioner of India can be removed from their office similar to the removal of a judge of the Supreme Court of India which requires a resolution passed by the Parliament of India a two-thirds majority in both the Lok Sabha and the Rajya Sabha on the grounds of proved misbehaviour or incapacity.
- Other Election Commissioners can be removed by the President of India on the recommendation of the Chief Election Commissioner. A Chief Election Commissioner has never been impeached in India.

### Functions and Power

- Determines the Electoral Constituencies' territorial areas throughout the country on the basis of the Delimitation Commission Act of Parliament.
- Preparation and periodically revising electoral rolls and registering all eligible voters.
- Notifying the schedules and dates of elections and scrutinising nomination papers.
- Grants recognition to the various political parties and allocating them election symbols.
- It acts as a court to settle disputes concerning the granting of recognition to political parties and allocating election symbols to the parties.
- It provides the status of national or state parties to the political parties on the basis of their performance in the elections.
- It ensures that the model code of conduct is followed by all the political parties and all the candidates.

- It advises the president on matters relating to the disqualification of the members of the parliament.
- It advises the governor of the state on matters relating to the disqualification of the members of the state legislature.
- It requests the president or the governor for the necessary staff required for conducting elections.
- It supervises election machinery and the conduct of elections to ensure free and fair elections.
- It cancels polls in the event of irregularities and wrongdoings during an election.
- It advises the president whether the elections can be held in a state under president's rule.



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