



Election Commission of India | Haryana | 25 Sep 2024

Why in News?

Recently, the [Election Commission of India](#) has intensified its efforts in Haryana to ensure free and fair elections, focusing on real-time monitoring of campaign finances, voter outreach initiatives, and strict adherence to the [Model Code of Conduct](#).

Key Points

- The [Election Commission of India \(ECI\)](#) is an autonomous constitutional authority responsible for administering Union and State election processes in India.
 - It was established in accordance with the Constitution on 25th January 1950 (celebrated as [National Voters' Day](#)). The secretariat of the commission is in New Delhi.
- The body administers elections to the [Lok Sabha](#), [Rajya Sabha](#), and [State Legislative Assemblies](#) in India, and the offices of the [President and Vice President](#) in the country.
 - It is not concerned with the elections to [panchayats](#) and [municipalities](#) in the states. For this, the Constitution of India provides for a separate [State Election Commission](#).
- **Constitutional Provisions:**
 - **Part XV (Article 324-329):** It deals with elections and establishes a commission for these matters.
 - **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 based on 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.
- **Structure of ECI:**
 - Originally the commission had only one election commissioner but after the **Election Commissioner Amendment Act, 1989**, it was made a multi-member body.
 - The Election Commission shall consist of the **Chief Election Commissioner (CEC)** and such number of other election commissioners, if any, as the President may from time-to-time fix.
 - Presently, it consists of the CEC and two **Election Commissioners (ECs)**.
 - At the state level, the election commission is helped by the **Chief Electoral Officer**.
- **Appointment & Tenure of Commissioners:**
 - The President appoints CEC and Election Commissioners as per [the CEC and Other ECs \(Appointment, Conditions of Service and Term of Office\) Act, 2023](#).
 - They have a fixed tenure of six years, or up to the age of 65 years, whichever is earlier.
 - The salary and conditions of service of the CEC and ECs will be equivalent to that of the [Supreme Court Judge](#).
- **Removal:**
 - They can resign anytime or can also be removed before the expiry of their term.
 - The **CEC can be removed from office only through a process of removal similar to**

that of a **SC judge by Parliament**, while ECs can only be removed on the recommendation of the CEC.

▪ **Limitations:**

- The Constitution has not prescribed the qualifications (legal, educational, administrative or judicial) of the members of the Election Commission.
- The Constitution has not specified the term of the members of the Election Commission.
- The Constitution has not debarred the retiring election commissioners from any further appointment by the government.

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