

Appointment of Election Commissioner

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India's robust democracy is once again at the forefront with the recent **appointment of new Election Commissioners**. The Election Commission of India (ECI), a constitutional authority responsible for administering electoral processes, has welcomed **Shri Gyanesh Kumar** and **Dr. Sukhbir Singh Sandhu** to its esteemed panel. Their appointments come at a crucial time as the nation prepares for upcoming elections, ensuring the ECI remains fully equipped to oversee the democratic process.

Constitutional Framework for Appointment

The appointment of Election Commissioners is governed by Article 324 of the Indian Constitution, which vests the power of superintendence, direction, and control of elections in the ECI. The Chief Election Commissioner (CEC) and Election Commissioners (ECs) are appointed by the President of India. Historically, this process has been under the exclusive purview of the executive, but recent developments have sought to make the process more inclusive and transparent.

The Appointment Process

The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023, outlines the current procedure for appointments.

- The President appoints the CEC and ECs based on the recommendations of a Selection Committee, which includes the Prime Minister, a Union Cabinet Minister, and the Leader of the Opposition or leader of the largest opposition party in the Lok Sabha.
- A Search Committee, headed by the Law Minister, proposes a panel of names to the Selection Committee, ensuring a thorough and rigorous selection process.

Qualifications for Appointment

While there are no specific qualifications prescribed by the Constitution for the appointment of Election Commissioners, conventionally, senior civil servants of the rank of Cabinet Secretary or equivalent are appointed to these positions. This practice ensures that individuals with significant administrative experience and a deep understanding of the electoral process are at the helm of the ECI.

Eligibility and Salary:

- Eligibility for these posts includes holding (or having held) a position equivalent to the Secretary to the central government.
- The salary and conditions of service for the CEC and ECs will be equivalent to that of the Cabinet Secretary. Previously, it was equivalent to the salary of a Supreme Court Judge.

Roles and Functions

The role of the Election Commissioner is pivotal in upholding the sanctity of elections.

The main functions of the Election Commissioner in India are:

- To supervise, direct, control and conduct all elections to Parliament and State Legislatures as also to the office of the President and Vice- President of India.
- To set down general rules for election.
- To determine constituencies and to prepare electoral rolls.
- To give credit to political parties.
- To grant recognition to political parties.
- To allot symbols to the recognised political parties and candidates of election.
- To fix dates for the election.
- To appoint a polling officer for the constituency.
- And ensures the adherence to the Model Code of Conduct, among other responsibilities.

The addition of Shri Gyanesh Kumar and Dr. Sukhbir Singh Sandhu to the ECI is a testament to India's commitment to a free and fair electoral process. Their expertise and experience are expected to contribute significantly to the Commission's critical role in strengthening India's democratic fabric. As the nation watches, the ECI continues to navigate the complexities of electoral management with integrity and dedication.

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