Chief Election Commissioner

Why in News?

Prime Minister Narendra Modi, Home Minister Amit Shah and Leader of Opposition Rahul Gandhi met recently to appoint Gyanesh Kumar as the Chief Election Commissioner.

- **Election Commission (EC)** – It is an ***autonomous constitutional*** authority responsible for administering election processes in India.
- The body administers elections to the Lok Sabha, Rajya Sabha, State Legislative Assemblies, and the offices of the President and Vice President.
- It is a ***3-member body*** made up of one Chief Election Commissioner (CEC) and 2 Election Commissioners.
- Although all 3 election commissioners are equal, the CEC, like the Chief Justice of India, is the first among equals.
- **Chief Election Commissioner** - Earlier, there was no law passed by Parliament for the appointment of the CEC and ECs.
- The appointments were done by the President on the advice of the Prime Minister.
- Traditionally, the successor to the incumbent CEC has been the next senior-most Election Commissioner.
- The new CEC is being appointed under a new law, Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023.

CEC and Other Election Commissioners Bill, 2023

- The Bill replaces the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991.
- It provides for the appointment, salary, and removal of the Chief Election Commissioner (CEC) and Election Commissioners (ECs).
- The CEC and ECs will be ***appointed by the President*** upon the recommendation of a Selection Committee.
- The **Selection Committee** will consist of the
    - Prime minister,
    - A union cabinet minister, and
    - Leader of opposition/leader of the largest opposition party in lok sabha.
- Recommendations of the Selection Committee will be valid *even when there is a vacancy* in this Committee.
- A Search Committee *headed by the Cabinet Secretary* will propose a panel of names to the Selection Committee.
- Eligibility for the posts includes holding (or having held) a post equivalent to the Secretary to the central government.
- The salary and conditions of service of the CEC and ECs will be equivalent to that of the Cabinet Secretary.
- In contrast, it was comparable to the salary of a Supreme Court Judge Under the 1991 Act.

References

1. The Indian Express | Chief Election Commissioner
2. Hindustan Times | Who is Gyanesh Kumar?

