Strengthening election commission of India

Why in news?

Recently, calls have been made to strengthen the ECI's role and independence in order to increase voter trust.

What are the Constitutional provisions related to the election commission?

- **Constitutional body** – The Election Commission of India (ECI) is established on ***January 25, 1950*** to ensure free and fair elections.
- **All-India jurisdiction** – The ECI is common to both the Central and State governments.
- **Powers and functions** – Superintendence, direction and control of elections to:
    - Parliament
    - State Legislatures
    - President and Vice-President
- **Composition of the election commission of India** – Chief Election Commissioner (CEC) is the head of the Election Commission and is the senior-most official.
- The commission may have up to two other Election Commissioners and this provision was added in 1989.
- Together with the CEC, the ECI they form a multi-member body.
- The CEC and Election Commissioners have equal powers and responsibilities.
- **Procedure for appointment** – The President makes the appointments based on the recommendations of the Prime Minister, leader of the opposition in Lok Sabha and a member of the union council of ministers to be nominated by the prime Minister.
- **Tenure and conditions** – Six years or until reaching the age of 65, whichever is earlier.
- **Removal** – The CEC can be removed from office in the same manner as a Supreme Court judge (on grounds of proved misbehavior or incapacity).
- Other Election Commissioners can be removed on the recommendation of the CEC.
- **Articles related to election commission:**
    - **Article 324** – Grants the Election Commission of India (ECI) powers of superintendence, direction, and control of elections.
    - **Article 325** – Prohibits discrimination based on religion, race, caste, or sex in electoral rolls.
    - **Article 326** – Provides for adult suffrage for elections to the Lok Sabha and state legislatures.
    - **Article 329 –** Bars courts from interfering in electoral matters except through election petitions.

What are the issues in India's election system?

- **Declining Voter Turnout** – Lack of awareness, logistical hurdles, and political disillusionment contribute to declining voter turnout.
- **Electoral Violence** – Violence and threats during elections disrupt the voting process, especially in rural and conflict-affected regions.
- **Exploitation of Media for Misinformation** – The manipulation of media, including social platforms, skews public opinion and divides the electorate.
- ***Deep fake videos*** were used to influence the voter decisions.
- **Gender Disparity in Political Representation** – The political system remains biased against women, resulting in their significant underrepresentation in legislative bodies.
- As of 2024, women represent just ***13.6% of the Lok Sabha***, reflecting the gender disparity in political participation and leadership.
- **Use of black money** – Unregulated funding channels increase the influence of black money in elections.
- Lack of transparency in political donations undermines accountability.
- **Increasing criminalization in politics –** In the 2024 elections, ***46% of elected members*** faced criminal cases.
- Voters often lack adequate information to make informed choices.
- **Political defections –** Despite the Anti-Defection Law, political defections remain rampant.
- Horse trading and destabilization of governments compromise the democratic values.
- **Increase in wealthy candidates –** Which make difficult for other candidates to compete in terms of money.
- In 2024 Lok Sabha elections ***93% of elected*** members were crorepatis.

What are the key reforms needed?

- **Improving election funding transparency –** Introduce state funding for political parties with independent audits.
- Establish a ***National Election Fund*** for all donations to ensure equitable distribution.
- **Impartial appointment procedures –** To ensure independence of Election Commissioners for free and fair elections.
- **Addressing criminalization –** Ban candidates with serious criminal charges from contesting elections.
- Enhance voter education and transparency in candidate disclosures.
- **Capping wealth disparities –** Impose stricter ceilings on candidate expenditure.
- Audit political party expenditures to curb financial malpractice.
- **Reforming anti-defection law –** Amend the Tenth Schedule to make it more effective.
- Enforce stricter penalties for political defections and horse trading.
- **Improve voter turnout** – By increasing the awareness among the public through campaigns.

What lies ahead?

- Develop comprehensive laws to address funding, criminalization, and defection issues.
- Encourage voter participation and education on clean politics.

- Enhance coordination among the executive, legislature, judiciary, and ECI to uphold democratic values.

Reference

The Indian Express |Strengthen Election Commission Of India