

1 Dec

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

UPSC

Answer Questions in NOT MORE THAN the Word Limit specified for each in the Parenthesis.
Content of the Question is more important than length.
(Specimen Answer Booklet - For Practice Purpose Only)

उम्मीदवारों को इस हाशिए में नहीं लिखना चाहिए।
Candidates must not write on this margin

Q. In the context of appointments, there is a need to strengthen the independence of Election Commission of India. Discuss.

→ A five judge constitution Bench of Supreme court examining reforms in the process of appointment of members of Election Commission will also examine the electoral reforms suggested to governments.

→ Need to strengthen the independence of Election commission.

Issues

→ Matter of appointments → Idea of appointment of election commissioners by a collegium.

→ As of now Article 324 provides chief election commissioner, election Commissioner appointed by President of India.

→ Dinesh Goswami Committee suggested CEC appointed by President in consultation with Chief justice of India + leader of opposition.

→ National it applied same to appointments of EC along with consultation of CEC + President,

→ National commission to Review the working of the constitution. said that chief election commissioner & other election commissioner appointed on the recommendation of a body Prime minister + leader of opposition in lok sabha & Rajya sabha + speaker of LS and Deputy chairman of RS.

↳ 255th Report of law commission said appointed of all Election Commissioners made by President in consultation with 3 member collegium

↳ it also suggest measures to safeguard election commissioners from arbitrary removal in a manner similar to chief election commissioners

↳ ② Security of Tenure

↳ Seshan case judgement, it conferred equal powers on the election commissioners enjoyed by chief election commissioner and even offered majority power.

↳ without this protection, EC may hesitate to act independently. They could feel they must keep on the right side of chief election commissioner.

↳ Conclusion

while the CEC should be appointed by collegium, this must apply to Election Commission.

At the same time Election Commission must now equally be protected from arbitrary removal by a constitutional Amendment that ensure a removal process that currently applies to CEC. without this election commission of India will not be a robust triumvirate.