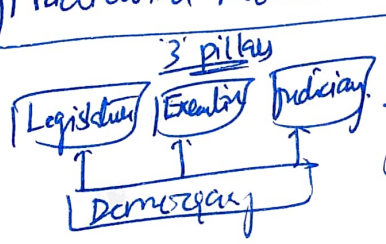


GS-2 polity.

2. To uphold the autonomy of Election Commission, the guiding principles must be functional and effective independence from the Executive. Explain.

Supreme court right now dealing with cases related to Election Commission. Question raised whether the complete control of Centre in appointing Election Commissioners is constitutional? Current practices to ensure independence of Election Commission sufficient?

Traditional Modern democracy



- 1. Equally allocated powers.
- 2. But matters related to administrative issues implementation, <sup>appointment</sup> etc, lies within complete control of Executive.

Contemporary times

'4' pillar - 'Integrity Institution'

- ensure independent nature
- vehicles of rights against political executive

Overseas example

South African constitution & Kenya constitution → provides

for 4<sup>th</sup> pillar - 'Integrity Institution' → ensuring sufficient independence from executive and appointment process through multiple stakeholder involvement

## Indian Constitution & 4<sup>th</sup> pillar

4<sup>th</sup> pillar provided by constitution - are Comptroller Auditor General, Electoral Commission etc; But their appointments are largely by Executive undermining their Independence.

South African Court → Verdict 'Functions of democracy' will be effective if, appointment process does not lie with single central individual'

Thus to ensure Stability of democracy → Appointment process of 'Integrity Institution' → Electoral Commission must involve → Government, opposition parties, judicial experts, Independent experts etc,

~~Thus~~ In order to ensure functional autonomy and independence of Electoral Commission, central government must ensure independence right from appointment to retirement & beyond