

## 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](#)

