



Structure and Functions of the Election Commission of India

The constitution provides for an independent election commission in order to ensure free fair elections in the country. The power of superintendence, direction and control of elections to the president, state legislatures, president and vice president is vested in the commission. Election in India are a process by which the people of the country express their collective will. The constitution of India provides for the election process, the elections in India are based on the adult franchise system or adult suffrage.

PROF. DVAVAPPA L. PAWAR

Introduction

The election commission of India is an autonomous constitutional authority responsible for administering election process in India. The body administers election of the Lok Sabha, Rajya Sabha, state legislative assemblies in India and the officers of the president and vice president in the country. The election commission operates under the authority of constitution per article 324. And subsequently enacted representation of the people act (3). The commission has the powers under the constitution, to act in an appropriate manner when the enacted laws make in sufficient authority. Elections in India is a process by which the people of the country express their collective will people are the true sovereigns governing the country through their democratically elected representatives to parliament and state legislatures besides other democratic institutions at lower levels. The constitution of India provides, the electoral process, according to which the election of president, vice president, Lok Sabha and the state assemblies are conducted by the election commission of India regulates and stream lines the election procedure through the laws like the representation of people Act of 1950 and 1951 and delimitation Act of 1952 along with the rules and orders made there under. **The Election Commission of India**

Election commission is an autonomous body, it was established on 25th January 1950 until October 1989 it had only one chief election commissioner and two the election commissioners. For the success of democracy it is indispensable. It is often called the fourth pillar of Indian democracy.

Constitutional Status of Election Commission :

Part XV (articles 324 to 329) of the constitution deals with the election commission. Article 324 in the constitution of India, replacing article 289 under the constituent assembly debates. Article 324(1) provides that the superintendence, direction and control of the preparation of the electoral rules for and the conduct of all elections to the offices of president and vice president held under this constitution shall be vested in a commission, the election commission. Article 324 says that the election commission shall consists of the chief election commissioner and any number of other election by an ordinance 15 of the government in 1993, the commission consisted of only the chief election commissioner since 1993, the concept of multi member commission has been in operation with decision making power by majority vote. Government had also appointed in 1989, a multi-member election commission by including two additional member of the election commission. It was reverted to one-man election commission by the two election commissioners, 3 deputy election commissioners and 6 secretaries. The constitution does not prescribe any qualification for the chief election commissioner or the election commissioners. The main concern of the makers of the constitution was to have an election commission independent of executive and political control.

Articles About Election Commission of India :

- (1) **Article-324** : Superintendence, direction and control of elections to be vested in an election commission
- (2) **Article-325** : No person to ineligible for inclusion in or to claim to be included in a special, electoral roll on

grounds of religion, race, caste of sex.

(3) **Article-326** : Election of the house of people lok sabha and legislative assemblies, vidhan sabha of states to be on the basis of adult suffrage.

(4) **Article-327** : Power of parliament to make provision for elections to legislature.

(5) **Article-328** : Power of legislature of a state to make provision with respect to elections to such legislature.

(6) **Article-329** : The ordinary court of the land will have no jurisdiction and that any question relating to an election can be agitated only by an election petition provided by law.

Functions of The Election Commission of India :

The power and functions of the election commission can be described as follows :

(1) Preparation of electoral rolls and their periodical revision.

(2) Holding elections to the parliament, state legislature and other local bodies.

(3) Recognition of political parties and allotment of symbol.

(4) It has the power to accept or reject the nomination papers of the candidates and also announces the calendar of events of election

(5) It can order re-poll in any constituency if necessary.

(6) It publishes the code of conduct to be followed by political parties during elections.

(7) It appoints the necessary staff for the conduct of election.

(8) On the basis of the valid reasons it has the power to withhold the results of election.

(9) In case of the disqualification of elected members, the presidents or the governor acts on the advice of the election commission.

(10) To impose ceiling on expenses of the election, collect affidavits from the contestants regarding their assets.

Provisions and Laws for Election :

Other provisions and laws guiding election process are :

(1) Representation of people Act, 1951.

(2) Presidential and vice presidential Act, 1952.

(3) Registration of electoral Rules, 1960.

(4) Election symbol order, 1968.

(5) Delimitation commission Act, 2002.

Conclusion :

The constitution provides for an independent election commission in order to ensure free fair elections in the country. The power of supervision, direction and conduct of elections to the president, state legislatures, president and vice president is vested in the commission. Election in India are a process by which the people of the country express their collective will. The constitution of india provides for the election process, the elections in india are based on the adult franchise system or adult suffrage.

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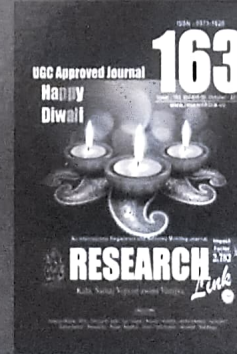
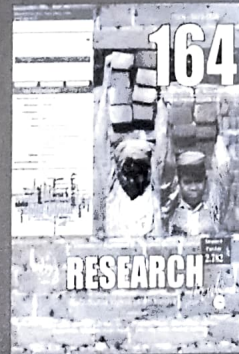
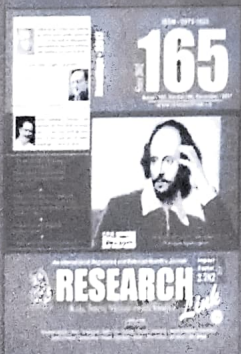
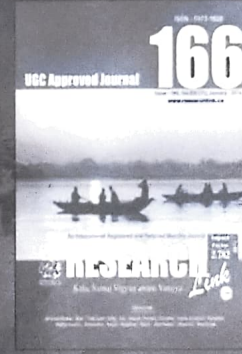
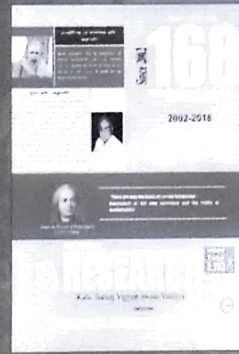
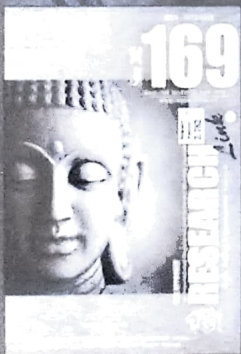
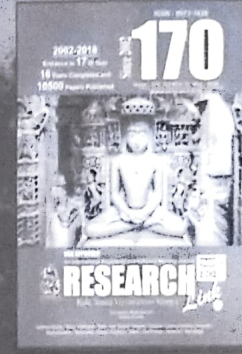
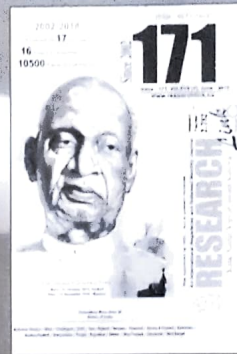
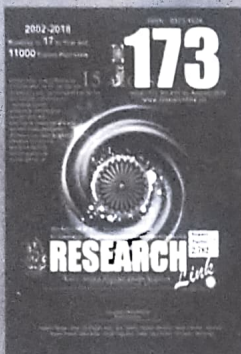
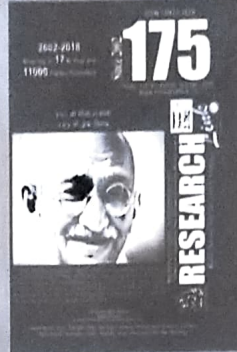
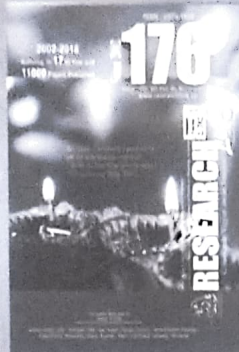
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