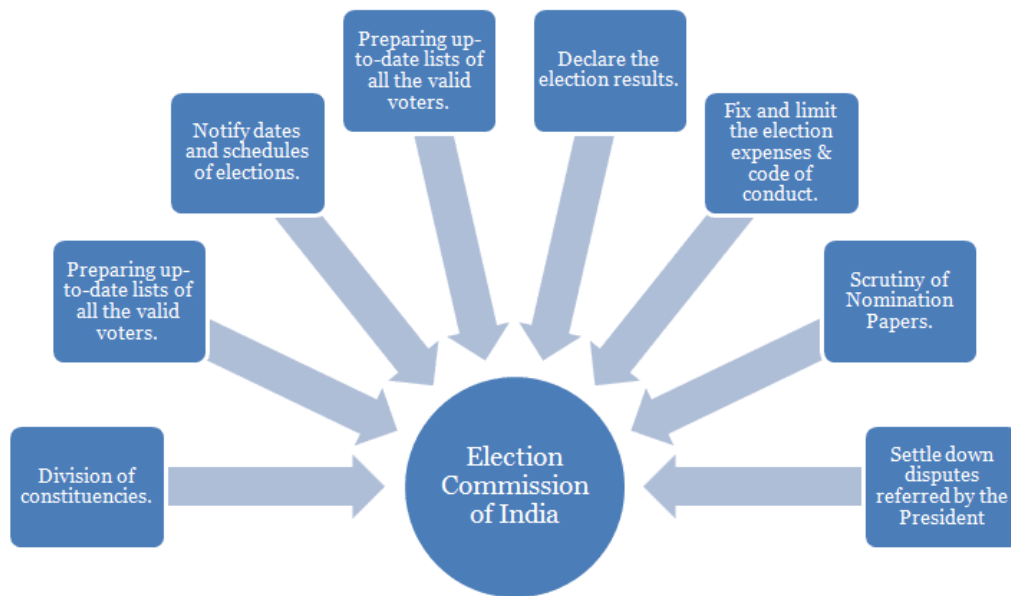


MODULE-V ELECTION COMMISSION

The Election Commission of India (ECI) is a constitutional body under the ownership of the Ministry of Law and Justice, Government of India. It was established by the Constitution of India to conduct and regulate elections in the country. Article 324 of the Constitution provides that the power of superintendence, direction, and control of elections to parliament, state legislatures, the office of the president of India, and the office of vice-president of India shall be vested in the election commission. Thus, the Election Commission is an all-India body in the sense that it is common to both the Central government and the state governments.

The body administers elections to the Lok Sabha, Rajya Sabha, State Legislative Assemblies, State Legislative Councils and the offices of the President and Vice President of the country. The Election Commission operates under the authority of the Constitution per Article 324,[5] and subsequently enacted Representation of the People Act. The commission has the powers under the Constitution, to act in an appropriate manner when the enacted laws make insufficient provisions to deal with a given situation in the conduct of an election. Being a constitutional authority, Election Commission is amongst the few institutions which function with both autonomy and freedom, along with the country's higher judiciary, the Union Public Service Commission and the Comptroller and Auditor General of India. It is a permanent constitutional body.

- The commission was established in 1950 and originally only had one Chief Election Commissioner.
- The commission is served by its secretariat located in New Delhi.



Functions

- One of the most important features of the democratic policy in India is elections at regular intervals. Holding periodic, free and fair elections are essentials of a democratic system and a part of the basic structure of the Constitution. The Election Commission is regarded as the guardian of elections in the country.
- In every election, it issues a Model Code of Conduct for political parties and candidates to conduct elections in a free and fair manner.
- The election commission has the right to allow symbols to the political parties. It gives recognition to the national parties, state parties and regional parties. It sets limits on poll expenses.
- Supervising, directing, controlling and conducting the elections for the states and the Parliament.
- Laying down the general rules for the elections.
- Deciding the constituencies and preparing the electoral rolls

Chief Election Commissioner

The Chief Election Commissioner of India heads the Election Commission of India, a body constitutionally empowered to conduct free and fair elections to the national and state legislatures and of President and Vice-President. This power of the Election Commission of India is derived from Article 324 of the Constitution of India. Chief Election Commissioner of India is usually a member of the Indian Civil Service and mostly from the Indian Administrative Service. It is very difficult to remove the authority of the Chief Election Commissioner once appointed by the president, as two-thirds of the Lok Sabha and the Rajya Sabha need to present and vote against him for disorderly conduct or improper actions.

Election Commissioners

The Election Commissioners of India are the members of Election Commission of India, a body constitutionally empowered to conduct free and fair elections in India to the national and state legislatures. The Election Commissioners are usually retired IAS or IRS officers.

The Election Commission currently consists of a Chief Election Commissioner and two Election Commissioners. The decisions of the commission are taken by a majority vote.

State Election Commission: Role and Functioning

States Election Commission(India) is an autonomous and Constitutional body constituted in States and Union Territories of India for ensuring that elections are conducted in a free, fair and unbiased way. The Constitution of India with provisions as per Article 324 safeguards the powers of Election Commission. States Election Commission in India are responsible for elections for Urban Local Bodies like Municipalities, Municipal Corporations, Panchayats and any other specified by Election Commission of India. They are appointed by the Governor of state or union territory.

Powers and Responsibilities

States Election Commission in India are responsible for the following:

- Conducting elections for Municipal Corporations in the State.
- Conducting elections for Municipal panchayats in State.
- Model code of conduct implemented in elections for local bodies.
- Updating Electoral rolls with new additions.
- Updating Electoral rolls with removals, if any.
- The State government is required to appoint a State Election Commissioner who would be responsible for conducting elections to the Panchayati Raj institutions.
- Preparation of Electoral Rolls
- Appointment of Dates for Nominations
- Public Notice of Election
- Nomination of Candidates for Election
- Publication of List of Contesting Candidates
- Fixing Time for Poll
- Adjournment of Poll in Emergencies
- Counting of Votes

Institute and Bodies for the welfare of SC/ST/OBC and women.

Development of the Scheduled Castes is the mutual responsibility of the Central as well as the State Government and Union Territory administration. The State Governments have separate departments to look after the welfare of the Scheduled Castes, Scheduled Tribes and Other Backward Classes. Their administrative set up, however, varies from State to State. A number of voluntary organisations were established to encourage the welfare of the Scheduled Castes and Scheduled Tribes. To enhance the well-being and progress of these communities there have been the establishment of a number of schemes. The schemes have been concerned with providing scholarships, loans and financial assistance to the individuals to ensure they obtain education in reputed educational institutions. Housing and hostel facilities are regarded as imperative, as they migrate from one region to another. There have

been schemes to generate enthusiasm and interest amongst these students in sports. The primary motive of the schemes is to make sure that these individuals do not experience detrimental consequences as a result of poverty, illiteracy, unemployment and homelessness. They primarily focus on alleviating the conditions of poverty and backwardness, ensure that these communities are able to communicate with the other groups of people, they are able to acquire education and generate awareness amongst themselves, obtain employment opportunities and are able to obtain proper housing and shelters in order to lead to elimination of the problem of homelessness

The Ministry of Social Justice and Empowerment is the nodal Ministry to oversee the interests of the Scheduled Castes.

Initiatives taken for SC development.

Educational Empowerment.

Various scholarships are provided to the students belonging to the Scheduled Castes (SCs) to ensure that education is not denied due to the poor financial condition of their families. These Scholarships are provided at both pre-matric and post-matric levels.

Economic Empowerment:

National Scheduled Castes Finance and Development Corporation (NSFDC)

National Safai Karamcharis Finance and Development Corporation (NSKFDC)

Scheme of Assistance to Scheduled Castes Development Corporations (SCDCs)

Social Empowerment

The Protection of Civil Rights Act, 1955

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

National Commission for Scheduled Castes

National Commission for Scheduled Castes (NCSC) is an Indian constitutional body established with a view to provide safeguards against the exploitation of Scheduled Castes to promote and protect their social, educational, economic and cultural interests, special provisions were made in the Constitution.

National Commission for Scheduled Tribes

National Commission for Scheduled Tribes (NCST) is an Indian constitutional body was established through Constitution (89th Amendment) Act, 2003.

On the 89th Amendment of the Constitution coming into force on 19 February 2004, the National Commission for Scheduled Tribes has been set up under Article 338A on bifurcation of erstwhile National Commission for Scheduled Castes and Scheduled Tribes to oversee the implementation of various safeguards provided to Scheduled Tribes under the Constitution.