

Panel for EC appointment : Supreme Court

- The Supreme Court said **Election Commissioners will be appointed by a panel including the Prime Minister, the Leader of Opposition and the Chief Justice of India**, in a landmark verdict aimed at "maintaining the purity of elections".



- The Chief Election Commissioners and two election commissioners, who oversee polls across the country, will be appointed on the advice of a committee that will give the opposition and the judiciary a say.
- "Elections should undoubtedly be fair and the buck stops with the Election Commission of India to ensure its purity is maintained," said a five-judge Constitution bench led by Justice KM Joseph.
- "*In democracy, the purity of elections must be maintained or else it would lead to disastrous consequences,*" said the unanimous verdict.

- The far-reaching verdict also means the Election Commission will have
 - an independent secretariat,
 - rule-making powers,
 - an independent budget, and
 - equal protection from impeachment.
- The Election Commission can now draw funds directly from the consolidated fund of India, instead of having to go to the Prime Minister's Office and the Law Ministry for funds and approvals.
- The Supreme Court had in earlier hearings stressed on a "fair and transparent mechanism" so that the "best man" is appointed as the Chief Election Commissioner of the country.
- Currently, the President appoints the chief election commissioner and two commissioners for a term of six years each on the recommendation of the Prime Minister, and they are usually former bureaucrats.
- Petitions had sought a collegium-like system for the appointment of election commissioners to ensure fair elections in the country, arguing that the existing process was driven by "whims and fancies of the executive".
- The petitions said unlike the appointments of the CBI director or corruption watchdog Lokpal, where the leader of the Opposition and judiciary have a say, the Centre unilaterally appointed members of the Election Commission.
- The Supreme Court has questioned the Centre on the appointment of former IAS officer Arun Goel as the new Election Commissioner at "lightning speed", within 24 hours, and had asked to see the original files related to the appointment.
- Arun Goel, a 1985-batch IAS officer, took voluntary retirement from his previous posting on November 18 and was appointed Election Commissioner on November 19. He took charge on November 21.

- The Supreme Court, on examining the file, asked how the Ministry of Law and Justice shortlisted four names for the appointment of Election Commissioner. Even among those names, the Centre had selected people who would not get even six years as Election Commissioner