ELECTION COMMISSION
Article 324

Composition

Article 324 made following provisions with regard to composition

1. It must consists of Election Commissioner & other election commissioners (president may decide numbers time to time)
2. They are appointed by President
3. When other election commissioner appointed, chief election commissioner act as Chairman
4. President may appoint regional commissioners with consultation of Election commission
5. Service conditions & tenure of election commissioners & regional commissioners determined by president

Chief election commissioner and other 2 election commissioners have equal powers, salary allowances & other perquisites Similar to judge of Supreme Court

In case of differences in opinion, Matter decided by Majority

Hold office for 6 years or age of 65 years

It is a permanent & independent body

Directs, controls & superintendence elections of
- Parliament
- State legislature
- Office of President
- Office of Vice - President

Election Commission is assisted by Deputy election commissioners
→ They are drawn from Civil Service & appointed with tenure system

At the state level commission is assisted by Chief Electoral Officer
→ He is appointed by Chief Election Commissioner with consultation of State Govt

At District level, Collector act as a District Returning Officer
→ He appoints returning officer for every constituency & presiding officer for every polling booth

Powers & Functions

1. Determine election constituencies
2. Prepare & revise electoral rolls & register voters
3. Notify dates & schedules of Election
4. Grant recognition to Parties & allot Symbols
5. Act as court for settling Disputes
6. Appoint officers for inquiring disputes of electoral arrangements
7. Determine code of conduct
8. Prepare rosters for publicity
9. Advice president on matters relating to Disqualifications of members of Parliament
10. Advice Governor on matters relating to Disqualifications of members of State Legislature
11. Cancel polls in case of rigging, booth capturing, violence & other irregularities
12. Request President or Governor for requisitioning staff
13. Supervise machinery to ensure free & fair elections
14. Advise president, elections can be held under president's Rule to extend period of emergency after 1 year
15. Register Political Parties

Independence

Article 324 made following provisions to ensure independent & impartial functioning of Election Commission

1. Chief election commissioner cannot be removed except same grounds as a judge of SC
2. Service conditions of chief election commissioner cannot be varied
3. Any other election commissioner or a regional commissioner cannot be removed except on recommendation of chief election commissioner

Still some flaws are there

1. Constitution not prescribe qualification of members
2. Constitution not specified term of members
3. Constitution not debarred retiring election commissioners from any further appointment