SC Delivers Split Verdict on CEC and EC Appointment Act

A two-judge Supreme Court bench delivered a split verdict on the constitutional validity of the 2023 law governing the appointment of the CEC and ECs.

It is a judicial challenge to the 2023 Act that replaced the Chief Justice of India with a Union Cabinet Minister in the panel selecting Election Commissioners.

KEY EXAM POINTS

- A division bench of **Justice Dipankar Datta** and **Justice Satish Chandra Sharma** delivered a split verdict on the challenge to the 2023 Election Commission law.
- Justice Dipankar Datta emphasized that the **Election Commission** must be seen as an independent body to maintain public trust.
- Due to the split opinion, the matter has been referred to Chief Justice of India **Surya Kant** for the constitution of a larger Bench.
- The petition challenges the **Chief Election Commissioner and Other Election Commissioners Act, 2023**.
- Under the 2023 Act, the selection panel comprises the **Prime Minister**, a Cabinet Minister, and the **Leader of the Opposition** in Lok Sabha.

DID YOU KNOW..!?

The Election Commission of India is a constitutional body established under **Article 324** on **January 25, 1950**.

Part XV (**Articles 324 to 329**) of the Indian Constitution deals with elections and the Election Commission.

In the landmark **Anoop Baranwal case** (**2023**), a 5-judge SC bench ruled that the selection committee must include the PM, CJI, and Leader of Opposition until Parliament enacts a law.

Election Commissioners hold office for a tenure of **6 years** or until they attain **65 years** of age, whichever is earlier.

The removal procedure of the Chief Election Commissioner is similar to that of a **Judge of the Supreme Court** of India.

Gyanesh Kumar served as the **26th** Chief Election Commissioner of India.

REVISION FLASHCARD

Supreme Court split verdict on 2023 CEC Selection Law referred matter to a larger Bench.

Syllabus Relevance: High relevance for Group 1 & Group 2 exams under Unit 5 (Article 324, Supreme Court judgements, Election Commission).

Free School Books
Read and study school textbooks for free on the Essaar Academy platform.
School Books: essaaracademy.in/school-books