

## SC Reserves Order on Referring CEC Selection Act to Larger Bench

Supreme Court reserved its judgment on whether to refer pleas challenging the 2023 Election Commission Appointment Act to a 5-judge Constitution Bench.

A judicial challenge concerning the constitutional validity of the 2023 law that excluded the CJI from the CEC and EC selection committee.

### KEY EXAM POINTS

- A **Supreme Court** bench comprising **Justices Dipankar Datta** and **Satish Chandra Sharma** reserved judgment on referring the reference to a larger bench.
- The petitions challenge the validity of the Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, **2023**.
- The 2023 law replaced the **Chief Justice of India** (CJI) with a **Union Cabinet Minister** in the 3-member selection panel.
- The bench noted that two members on the current **selection committee** represent the government, leaving only one member from the opposition.

### STATICS & SYLLABUS FOCUS

**Article 324** of the Constitution vests the superintendence, direction, and control of elections in the **Election Commission of India**.

In the landmark **Anoop Baranwal v. Union of India** case (**2023**), a 5-judge Constitution Bench directed that the selection committee must comprise the PM, LOP, and CJI until Parliament enacts a law.

The Election Commission of India was established on **January 25, 1950**, which is commemorated as **National Voters' Day**.

The Chief Election Commissioner and Election Commissioners hold office for a term of **6 years** or until attaining **65 years** of age.

Under **Article 124(4)**, the Chief Election Commissioner can be removed from office only in like manner and on like grounds as a Judge of the Supreme Court.

The Election Commission became a multi-member body comprising the CEC and two ECs following the **1993** Amendment.

#### REVISION FLASHCARD

*The 2023 CEC Appointment Act replaced CJI with a Cabinet Minister in the 3-member selection panel.*

Syllabus Relevance: High relevance for Group 1, 2, 2A, and 4 under Unit 5 (Election Commission & Constitutional Provisions).

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