POLITY & CONSTITUTION 29 September 2026

SC to Hear Plea Challenging Individual Powers of Chief Election Commissioner

The Supreme Court agreed to hear a plea alleging that the Chief Election Commissioner is exercising powers individually without collective decision-making.

A constitutional challenge regarding whether the Chief Election Commissioner can individually exercise powers vested in the multi-member Election Commission of India under Article 324.

KEY EXAM POINTS

- The **Supreme Court** bench headed by **Chief Justice Surya Kant** agreed to hear the plea next week.
- The plea was filed under **Article 32** of the Constitution by Bihar-based petitioner **Rakesh Kumar Singh**.
- The petitioner contends that Chief Election Commissioner **Gyanesh Kumar** cannot individually exercise powers vested in the Election Commission under **Article 324**.
- The plea argues that the statutory scheme requires decisions of the **multi-member Commission** to be **unanimous or by majority**.
- The petition also raises concerns over the centralisation of the **electoral roll database** and access to **ERONet/ECINet**.
- Another key grievance mentioned in the plea is the alteration of **Form 6** during the **Special Intensive Revision** of electoral rolls.

DID YOU KNOW..!?

Article 324 of the Indian Constitution provides for the establishment, powers, and functions of the **Election Commission of India**.

Originally a single-member body, the Election Commission was made a **multi-member body** for the first time on **October 16, 1989**, and permanently since **October 1, 1993**.

The Election Commission of India (Conditions of Service of Election Commissioners and Transaction of Business) **Act, 1991** mandates that decisions should be **unanimous or by majority**.

Under **Article 324(2)**, the Election Commission consists of the Chief Election Commissioner and such number of other Election Commissioners as the **President** may from time to time fix.

In the landmark **S.S. Dhanoa v. Union of India (1991)** case, the **Supreme Court** upheld that the creation of multi-member commissions is constitutional and prevents arbitrary power.

In the **T.N. Seshan v. Union of India (1995)** case, a five-judge Constitution Bench of the Supreme Court held that the CEC and other Election Commissioners have **equal powers**.

Article 32 of the Constitution, termed the 'Heart and Soul' of the Constitution by **Dr. B.R. Ambedkar**, guarantees the right to move the Supreme Court for enforcement of Fundamental Rights.

REVISION FLASHCARD

Under Article 324, ECI decisions must be collective (unanimous or by majority), as upheld in T.N. Seshan case (1995).

Syllabus Relevance: High relevance for Unit 5 (Polity) questions on Constitutional Bodies, Article 324, and landmark Supreme Court judgements.

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