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18th January 2022

Topic: Polity

Importance: Punjab PCS Prelims and Mains

What is the news?

- Punjab's political parties welcomed the decision by the Election Commission (EC) to postpone the voting date for the Punjab Assembly elections to 20 February.

Let us learn some facts:

Who conducts the State Assembly elections?

- Section 324 of the Constitution provides that the power to supervise, direct and control elections to Parliament and State legislatures, the office of President of India and Vice-President of India shall be entrusted to the Electoral Commission.

About the State Election Commission:

Articles 243K, 243ZA:

- The Constitution of India vests in the State Election Commission, consisting of a State Election Commissioner, the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of all elections to the Panchayats and the Municipalities
- The State Election Commissioner is appointed by the Governor.
- As per article 243 the Governor, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the SEC by clause (1).
- Under the Constitution, (entry 5, list II, seventh schedule), the creation of local self-government institutions is a state responsibility
- Powers and removal of state election commissioner:
- The State Election Commissioner has the status, salary and allowance of a Judge of a High Court and cannot be removed from office except in like manner and on the like grounds as a Judge of a High Court.

Postponement of Election by ECI:

- An election once called usually happens according to the calendar. However, in exceptional cases, the process can be delayed or even abandoned after being announced in extraordinary circumstances.
- Under Section 153 of the Representation of the People Act, 1951, read with Article 324 of the Constitution of

India, the EC can extend the time for completing an election, but such extension:

- Should not be more than six months.
- Should not go beyond the date of the normal dissolution of the Lok Sabha or the Assembly.
- In 1991, the Election Commission postponed the current parliamentary elections for three weeks after the assassination of Rajiv Gandhi during his campaign in Tamil Nadu.
- Recently, in March 2020, Rajya Sabha's 18-seat election was postponed by the EC as a result of the COVID-19 pandemic.

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