

Election Commission of India



I. Constitutional Basis (1-10)

Trap 1

✗ **Election Commission is a statutory body.**

✓ It is a **constitutional body (Article 324)**.

Trap 2

✗ **Election Commission is mentioned in Part XVIII.**

✓ In **Part XV** (Elections) of the Constitution.

Trap 3

✗ **Article 324 deals with Parliamentary privileges.**

✓ Deals with superintendence, direction, and control of elections.

Trap 4

✗ **Constitution provides details of electoral procedures.**

✓ Only broad principles; details in **Representation of the People Acts** (1950, 1951).

Trap 5

✗ **Election Commission was created after the first general elections.**

✓ Created on 25th January 1950, before the first elections (1951–52).

Trap 6

✗ **Election Commission conducts only Lok Sabha elections.**

✓ Conducts **Parliament**, State Assemblies, **President** & Vice-**President** elections.

Trap 7

✗ **Local body elections are under the Election Commission of India.**

✓ **State Election Commissions** handle them (Art. 243K & 243ZA).

Trap 8

✗ **Election Commission reports to the President.**

✓ **Independent** constitutional authority, not subordinate to **President**.

Trap 9

✗ **Election Commission is responsible for election laws.**

✓ **Parliament** makes laws, **Election Commission** implements them.

Trap 10

✗ **Election Commission is part of the Judiciary.**

✓ **Independent** of all three branches; **constitutional autonomy**.

II. Composition & Appointment (11–25) – Part A

Trap 11

✗ **Constitution fixes the number of Election Commissioners.**

✓ Fixed by President, not Constitution.

Trap 12

✗ **EC has always been multi-member.**

✓ Initially single-member (1950–1989); multi-member since 1993.

Trap 13

✗ **Chief Election Commissioner (CEC) alone constitutes the EC.**

✓ CEC + other Election Commissioners (if any) appointed by President.

Trap 14

✗ **CEC is elected by Parliament.**

✓ Appointed by the President.

Trap 15

✗ **Qualification of CEC is given in the Constitution.**

✓ No qualifications prescribed in Constitution.

Trap 16

✗ **Tenure of EC members is fixed by Constitution.**

✓ Decided by the President (by rule).

Trap 17

✗ **Salary and conditions of service of EC members are fixed by Parliament.**

✓ Determined by President, subject to law made by Parliament.

Trap 18

✗ **EC members can hold other government offices.**

✓ Cannot — full-time constitutional posts.

Trap 19

✗ **EC is under control of the Union Public Service Commission.**

✓ Independent of UPSC.

Trap 20

✗ **EC includes representatives of political parties.**

✓ No — all independent officers.

II. Composition & Appointment (11–25) – Part B

Trap 21

✗ Number of Election

Commissioners cannot be changed.

✓ President may fix and vary the number ([Art. 324\(2\)](#)).

Trap 22

✗ CEC can function alone even if others disagree.

✓ Decisions by majority in a **multi-member EC**.

Trap 23

✗ Chief Election

Commissioner can remove other **Election Commissioners**.

✓ President can, not **CEC (Art. 324(5))**.

Trap 24

✗ Constitution mandates three members.

✓ No such number fixed — flexible.

Trap 25

✗ Appointment procedure is parliamentary.

✓ Executive appointment, though reform proposals suggest collegium.



III. Tenure & Removal (26–40) – Part A

Trap 26

✗ **Tenure of CEC is 6 years or till 70 years, whichever earlier.**

✓ **Correct — as per Election Commission (Conditions of Service) Act, 1991.**

Trap 27

✗ **Other Election Commissioners have longer tenure.**

✓ **Same tenure and conditions as CEC.**

Trap 28

✗ **CEC can be removed like ordinary civil servants.**

✓ **Removed like a Supreme Court judge (special majority of Parliament).**

Trap 29

✗ **Other Election Commissioners have the same protection.**

✓ **Can be removed by President on CEC's recommendation.**

Trap 30

✗ **President can remove CEC arbitrarily.**

✓ **Needs parliamentary approval (Art. 324(5)).**

Trap 31

✗ **President can reduce CEC's salary during term.**

✓ **Cannot be varied to their disadvantage.**

Trap 32

✗ **EC members hold office at pleasure of the President.**

✓ **Only CEC protected; others hold office "subject to CEC's recommendation."**

Trap 33

✗ **Parliament can remove CEC by simple majority.**

✓ **Special majority required (as SC judge).**

Trap 34

✗ **Constitution prescribes age limit for EC members.**

✓ **No constitutional age limit.**

Trap 35

✗ **CEC's protection from removal was added later.**

✓ **Present since 1950.**

III. Tenure & Removal (26–40) – Part B

Trap 36

✗ EC members can be reappointed indefinitely.

✓ No bar, but rare in practice.

Trap 37

✗ EC ceases to exist after one term.

✓ Permanent constitutional body.

Trap 38

✗ EC members' service conditions are decided by Parliament directly.

✓ By President under 1991 Act.

Trap 39

✗ CEC can suspend other Commissioners.

✓ No — collective decision-making body.

Trap 40

✗ EC's functioning stops if CEC post falls vacant.

✓ Other Commissioners continue; President may appoint interim CEC.

IV. Powers & Functions (41–65) – Part A

Trap 41

✗ **EC conducts only elections to Lok Sabha and Rajya Sabha.**

✓ Also **President**, Vice-President, State Assemblies.

Trap 42

✗ **EC's powers apply only during election period.**

✓ Continuous supervision of electoral rolls and machinery.

Trap 43

✗ **EC frames electoral laws.**

✓ Executes election laws framed by **Parliament**.

Trap 44

✗ **EC decides election symbols.**

✓ Yes — under [Election Symbols \(Reservation & Allotment\) Order, 1968](#).

Trap 45

✗ **EC registers political parties under RPA 1951.**

✓ Correct — under Sec. 29A of RPA 1951.

Trap 46

✗ **EC allocates party funds.**

✓ No — only recognition and symbols.

Trap 47

✗ **EC can cancel party registration.**

✓ Only if obtained by fraud, not for internal issues.

Trap 48

✗ **EC conducts local panchayat elections.**

✓ Done by State Election Commissions (Art. 243K).

Trap 49

✗ **EC can postpone elections indefinitely.**

✓ Can defer, but must conduct at earliest opportunity.

Trap 50

✗ **EC decides delimitation of constituencies.**

✓ Delimitation Commission (**independent** body) does that.

IV. Powers & Functions (41–65) – Part B

Trap 51

✗ EC issues Model Code of Conduct (MCC) under law.

✓ MCC is not statutory, based on consensus and EC authority.

Trap 52

✗ MCC is legally enforceable.

✓ Not law, but violations can attract action under other laws.

Trap 53

✗ EC conducts bye-elections only for Lok Sabha.

✓ For both Parliament and State Assemblies.

Trap 54

✗ EC announces election schedule after President's approval.

✓ Independent decision.

Trap 55

✗ EC can supervise party finances.

✓ Monitors expenditure, not funding sources.

Trap 56

✗ EC can disqualify MPs and MLAs.

✓ President (for MPs) / Governor (for MLAs) acts on EC's opinion.

Trap 57

✗ EC decides election disputes.

✓ Election petitions decided by High Courts.

Trap 58

✗ EC can cancel elections.

✓ Can countermand polls in case of rigging or violence.

Trap 59

✗ EC can punish offenders directly.

✓ No — recommends action; courts prosecute.

Trap 60

✗ EC prepares electoral rolls.

✓ Supervises preparation and revision by local authorities.



IV. Powers & Functions (41–65) – Part C & V.

Powers During Elections (66–80) – Part A

Trap 61

✗ EC cannot supervise EVM use.

✓ Sole authority to approve and regulate EVMs/VVPATs.

Trap 62

✗ EC can amend Representation of People Act.

✓ Only Parliament can.

Trap 63

✗ EC monitors internal party elections.

✓ Only for recognised parties and registration compliance.

Trap 64

✗ EC can disqualify a sitting MP.

✓ Only recommendation; President decides.

Trap 65

✗ EC declares election results.

✓ Yes, after counting under its supervision.

Trap 66

✗ Once elections announced, government can continue all policies.

✓ Model Code of Conduct restricts major policy decisions.

Trap 67

✗ MCC applies only to ruling party.

✓ Applies to all parties and candidates.

Trap 68

✗ EC has no power to transfer officials.

✓ Can transfer election-related officers for fairness.

Trap 69

✗ EC can postpone polling unilaterally.

✓ Yes — in violence, booth capture, or natural calamity.

Trap 70

✗ EC supervises police deployment directly.

✓ Through Home Ministry coordination.

V. Powers During Elections (66–80) – Part B & VI. Independence & Limitations (81–95) – Part A

Trap 71

✗ **EC has no role in opinion polls.**

✓ Can regulate publication during campaign period.

Trap 72

✗ **EC controls campaign finance law.**

✓ Enforces limits under RPA 1951 and **EC** orders.

Trap 73

✗ **EC decides election expenses for all candidates.**

✓ Limits fixed by Ministry of Law on **EC**'s recommendation.

Trap 74

✗ **EC can delay election results for unlimited period.**

✓ Must announce within prescribed schedule.

Trap 75

✗ **EC enforces election laws even in local body polls.**

✓ State ECs do that.

Trap 76

✗ **EC cannot suspend polls for booth capture.**

✓ Can adjourn or cancel polling in such cases.

Trap 77

✗ **EC has no control on opinion polls.**

✓ Regulates exit poll timings under rules.

Trap 78

✗ **EC reports directly to Parliament.**

✓ Reports to **President**, who lays them before **Parliament**.

Trap 79

✗ **EC controls election observers.**

✓ Appoints and directs them.

Trap 80

✗ **EC is subordinate to Ministry of Law & Justice.**

✓ **Independent** — attached administratively but not subordinate.

VI. Independence & Limitations (81–95) – Part B & VII. Reforms, Cases & Facts (96–100)

Trap 81

- ✗ EC is under President's administrative control.
- ✓ Independent constitutional body.

Trap 82

- ✗ Parliament can dissolve EC.
- ✓ Cannot — needs constitutional amendment.

Trap 83

- ✗ EC's decisions need President's approval.
- ✓ Final and binding, within its jurisdiction.

Trap 84

- ✗ EC's budget is voted by Parliament.
- ✓ Charged on Consolidated Fund of India.

Trap 85

- ✗ EC members are under civil service rules.
- ✓ Independent constitutional officers.

Trap 86

- ✗ President can override EC orders anytime.
- ✓ Cannot interfere in election matters.

Trap 87

- ✗ EC decisions can't be reviewed by courts.
- ✓ Judicial review allowed on legality, not procedure.

Trap 88

- ✗ EC is answerable to PMO.
- ✓ Reports only to President.

Trap 89

- ✗ EC has complete control over Parliament.
- ✓ Limited to election process only.

Trap 90

- ✗ EC cannot take action against media bias.
- ✓ Can act via advisories, MCC enforcement.

Trap 91

- ✗ EC decisions are binding on political parties.
- ✓ Yes — under Art. 324 authority.

Trap 92

- ✗ CEC is supreme within EC.
- ✓ All equal in rank; decisions by majority.

Trap 93

- ✗ EC has no protection under law.
- ✓ Enjoys constitutional protection under Art. 324(5).

Trap 94

- ✗ EC can disqualify MPs on corruption charges.
- ✓ Only through judicial or presidential route.

Trap 95

- ✗ EC's powers extend to municipal elections.
- ✓ State EC handles those.

Trap 96

- ✗ T.N. Seshan case reduced EC powers.
- ✓ Expanded powers; upheld multi-member EC (1995).

Trap 97

- ✗ EVMs are unconstitutional.
- ✓ Approved by SC (2002); legally valid.

Trap 98

- ✗ EC was made multi-member by 44th Amendment.
- ✓ Made so by 1989 ordinance & 1993 Act.

Trap 99

- ✗ EC's independence depends on executive will.
- ✓ Guaranteed by Constitution.

Trap 100

- ✗ Election Commission Day is on 26th January.
- ✓ Celebrated every year on 25th January.

