

**Selection of ECs must be transparent, SC tells Centre - Today's Paper**

Though so far the election commissioners (ECs) appointed have been “outstanding people, very fair and politically neutral,” there is still a legitimate expectation that they should be selected through the “most transparent and just process” formalised in a law enacted by Parliament, the Supreme Court advised the Centre on Wednesday.

The Bench of Chief Justice of India J.S. Khehar and D.Y. Chandrachud pointed out that there is a “gap” caused by the lack of a parliamentary law which transparently spells out the process of appointment of an election commissioner. “Who should be shortlisted? Who shortlists these names? What is the eligibility? There is nothing to show the procedure followed in selecting them,” Chief Justice Khehar observed. He said that even the selection procedure of the CBI Director is formalised by a written law, but not that of Election Commissioners.

The court was hearing a PIL petition filed by Anoop Baranwal, represented by advocate Prashant Bhushan, contending that successive governments failed in the constitutional obligation to set up a “fair, just and transparent process” for selection of ECs.

“Though it is very complimentary that outstanding people have been appointed so far, there is still a legitimate expectation in the Constitution that a law should be made on the selection process,” the Chief Justice observed.

**Transparent manner**

“The Election Commissioners supervise and hold elections in our democracy...such is the significance of their office. Their selection has to be made in the most transparent manner,” he said.

The court asked the government whether it should intervene in the issue to achieve the constitutional objective under Article 324 (2).

Solicitor General Ranjit Kumar submitted that the filtering of names of suitable persons for appointment as Election Commissioners is done under the aegis of the Prime Minister and his Cabinet, who in turn advise the President.

“None other than the Prime Minister is involved in the selection of the election commissioners. Besides it is for Parliament to decide whether there should be a law or not,” Mr. Kumar said.

**END**