



UPSC & STATE PCS CURRENT AFFAIRS · UJIYARI.COM

EDITORIAL ANALYSIS

ECI at 76 — The Unfinished Electoral Reform Agenda

THE HINDU

25 January 2026

SUBJECTS COVERED**POLITY****GS PAPERS****GS2****CURATED & WRITTEN BY****Bharat Choudhary**

UPSC Educator & Content Creator •

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

Free UPSC & State PCS Resources

ujjari.com

ECI at 76 — The Unfinished Electoral Reform Agenda

 The Hindu 25 January 2026

GS2

TH The Hindu

MAINS RELEVANCE: **GS Paper 2**



INTERVIEW ANGLE

""The Election Commission of India turns 76 this year. Despite its achievements in conducting elections for the world largest democracy, what are the pending electoral reforms that would strengthen democratic institutions? Should the ECI be given more constitutional protection and financial autonomy?""

WHY IN NEWS

The 16th National Voters Day (January 25, 2026) marks 76 years of the Election Commission of India. As ECI launches ECINET and adopts the Delhi Declaration 2026, questions about the unresolved electoral reform agenda — from EVMs to the model code to money power — remain central to India's democratic health.

AN INSTITUTION WORTH CELEBRATING — AND INTERROGATING

The Election Commission of India deserves to be celebrated. It has conducted 18 General Elections and hundreds of state elections in a country of a billion voters — a logistical and democratic achievement with no true parallel in the world. It gave us the Electronic Voting Machine (EVM) as a global model. It produced the T.N. Seshan moment — when an institution discovered that constitutional authority, exercised with political will, could transform democratic culture.

But birthday celebrations are incomplete without honest accounting.

WHAT THE 2023 CEC APPOINTMENT ACT GOT WRONG

The **Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023** was a significant piece of legislation. After years in which the appointment of CECs was effectively the President's discretion (acting on PM's advice), the Act created a selection committee.

The committee structure: Prime Minister + Leader of Opposition in Lok Sabha + a Cabinet Minister nominated by the PM.

The mathematical problem is obvious: the PM and a PM-nominated minister constitute a 2-1 majority. The Leader of Opposition is outnumbered regardless of who fills that role. The Supreme Court, in *Anoop Baranwal v. Union of India* (2023), had directed that a committee including the CJI should make the appointment — reflecting the judiciary’s concern about executive dominance over election administration. The 2023 Act deliberately excluded the CJI from the committee.

The democratic stakes: The independence of the CEC is not a procedural nicety. Elections are won and lost in the margins of level playing field — and the ECI controls that playing field. A CEC who arrives at the post owing obligations to the ruling party, even implicitly, is a structurally weakened umpire.

THE EVM QUESTION

The controversy about EVMs refuses to go away — not because the machines are demonstrably compromised, but because the **institutional transparency required to settle the controversy definitively has not been provided.**

The ECI’s position — that EVMs are infallible because they are standalone units not connected to the internet — is technically true but politically insufficient. Trust in democratic processes requires not just security but the public perception of security.

What the ECI has done well:

VVPAT (Voter Verifiable Paper Audit Trail) — introduced in all constituencies in 2019

Mock polls before voting begins

Strong tamper-detection mechanisms

What the ECI has not done:

Allowed independent third-party technical audits (not just their own EVM Challenges)

Published open-source software code (they say there is no software — this is disputed)

Adopted 100% VVPAT slip verification (only 5 booths per constituency are currently verified)

The Supreme Court’s ADR judgment (2024) upheld EVMs but directed expanded verification in certain cases. This is a beginning, not an end.

THE MONEY POWER PROBLEM

The **electoral bond scheme** — which allowed anonymous corporate funding of political parties — was struck down by the Supreme Court in February 2024 as unconstitutional. But the problem it was supposed to address (opacity in political funding) predates electoral bonds and survives their demise.

India's election expenditure is officially capped — at approximately Rs 95 lakh per Lok Sabha constituency for candidates. Actual expenditure routinely runs to several crore. The gap is covered by unaccounted money. This is India's most persistent electoral integrity problem, and no political party has a genuine incentive to solve it, since incumbents benefit most from the existing opacity.

What reform requires:

- State funding of elections (recommended by multiple commissions since the Indrajit Gupta Committee, 1998)

- Real-time financial disclosure during elections

- ECI's power to prosecute candidates who breach expenditure limits — not just the current toothless disqualification threat

THE DISINFORMATION CHALLENGE

ECINET is a useful step toward digital integration of ECI services. But the 2026 elections will see a challenge that no legacy institution was designed for: AI-generated deepfakes, targeted micro-advertising on social media, and algorithmic amplification of polarising content.

The ECI's current framework regulates political advertising on television and print under the MCC. Social media has a separate framework — the Voluntary Code of Ethics adopted with Facebook, Twitter, Google, and others. It is voluntary. It is not enforced. It is not adequate.

What is needed:

- Legal authority for the ECI to direct platforms to take down deepfakes and AI-manipulated political content

- Mandatory pre-election registration of political advertisements on digital platforms (who paid, how much, who was targeted)

- Collaboration with CERT-In (Cybersecurity emergency response) for election-period disinformation monitoring

THE POSITIVE

Despite all the above, India's elections remain the most impressive democratic exercise in human history — in scale, in participation, and in the peaceful transfer of power. The ECI's operational competence — deploying over a million polling stations, 10 million+ election officials, managing logistics across the Himalayas and the deserts — is genuinely extraordinary.

The goal of reform is not to diminish this achievement but to build institutions worthy of it. A 76-year-old institution that has earned democratic trust should be able to withstand the scrutiny that comes with that trust.

UPSC RELEVANCE

Article 324 (ECI basis); Article 325 (electoral roll inclusion); Article 326 (adult franchise); Article 329 (courts and elections); CEC Appointment Act 2023; Anoop Baranwal v. Union of India (2023) SC; ADR v. ECI (2024); Electoral bonds SC struck down February 2024; T.N. Seshan CEC 1990-96; VVPAT in all constituencies 2019; EVMs: BEL + ECIL; Indrajit Gupta Committee (1998, state funding of elections); ECINET 2026; eVIGIL app; NVD: January 25.

Electoral reforms — EVMs, VVPAT, electoral bonds, money power; independence of constitutional bodies; CEC appointment — executive dominance vs judicial oversight; Model Code of Conduct — scope and limits; social media and election integrity; state funding of elections debate.

★ FACTS CORNER — KNOWLEDGEPEDIA

ECI INDEPENDENCE — KEY PROVISIONS:

Article 324(5): CEC can be removed only by same process as SC judge (Parliament impeachment)

CEC Appointment Act **2023**: Committee — PM + LoP Lok Sabha + Cabinet Minister (PM-nominated); excludes CJ

SC in **Anoop Baranwal v. Union of India (2023)**: Directed CJI inclusion (Act overrode this direction)

EVM/VVPAT:

EVMs standalone (no internet); manufacturers: **BEL + ECIL**

VVPAT in all constituencies: **2019**

VVPAT paper slips: Voter sees slip for **7 seconds**; stored in sealed box

ADR v. ECI (**2024**): SC upheld EVMs; directed expanded verification in specific cases

ELECTORAL BONDS:

Introduced: Finance Act **2017** (SBI sole authorised seller)

SC struck down: **February 15, 2024** (5-judge constitution bench; Jagdeep Dhankhar case)

Reason: Violated right to information; anonymous corporate funding created quid-pro-quo concern

MONEY IN ELECTIONS:

Lok Sabha expenditure limit: ~Rs **95 lakh** per constituency (candidate ceiling)

Indrajit Gupta Committee (**1998**): Recommended state funding of elections

ECI enforcement: Expenditure monitoring, income tax flying squads

DISINFORMATION TOOLS:

Voluntary Code of Ethics: ECI + Meta/Google/Twitter (social media)

CERT-In: Indian Computer Emergency Response Team (under MeitY)

MCC: Governs election conduct; NOT a law; ECI authority-based

OTHER RELEVANT FACTS:

T.N. Seshan (CEC 1990–1996): Transformed ECI; introduced EPIC (Voter ID); Ramon Magsaysay Award 1996

61st Constitutional Amendment (1988): Lowered voting age from 21 to 18

Registered voters 2024 GE: ~96.8 crore | Votes cast: 642.5 million (record)

State funding of elections: Recommended by Indrajit Gupta Committee (1998), Law Commission Report (1999), 2nd ARC — not implemented

Sources: The Hindu, ECI India, Supreme Court of India

CURATED & WRITTEN BY

Bharat Choudhary

UPSC Educator & Content Creator

 [linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

Published on ujjari.com · Free UPSC & State PCS Current Affairs