

RAJYA SABHA
NOTICE OF AMENDMENTS
THE CHIEF ELECTION COMMISSIONER AND OTHER ELECTION
COMMISSIONERS (APPOINTMENT, CONDITIONS OF SERVICE AND
TERM OF OFFICE) BILL, 2023
(As introduced in Rajya Sabha)
[To be moved at a sitting of the Rajya Sabha]

CLAUSE 7

BY PROF. MANOJ KUMAR JHA:

30. That at page 2, line 33, *for* the words “a Union Cabinet Minister to be nominated by the Prime Minister”, the words “the Chief Justice of India” be *substituted*.

CLAUSE 8

BY PROF. MANOJ KUMAR JHA:

31. That at page 3, *for* lines 1 to 4, the following be *substituted*, namely:-
- “8.(1) The Selection Committee shall regulate its own Power of
procedure along with the expertise of the Search Selection
Committee in a transparent manner. Committee to
regulate its own
procedure.”
- (2) The Selection Committee shall not consider
any other person than those included in the panel by the
Search Committee:
- Provided that in the event such need arises
for consideration of another person, it shall, in the first
instance, be presented before the Search Committee for
scrutiny and thereafter an updated panel for the
consideration of the Selection Committee shall be
prepared by the Search Committee.”.

CLAUSE 9

BY PROF. MANOJ KUMAR JHA:

32. That at page 3, line 9, *after* the words, “for re-appointment”, the word “or any annual extension of tenure” be *inserted*.

New Delhi;
11th December, 2023.

P.C.Mody,
Secretary-General

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CLAUSE 6

BY SHRI ARJUN RAM MEGHWAL:

33. That at page 2, for lines 23 to 25, the following be substituted, namely:-

“6. A Search Committee headed by the Minister of Law and Justice and comprising of two other members not below the rank of Secretary to the Government of India, shall prepare a panel of five persons for”.

CLAUSE 10

BY SHRI ARJUN RAM MEGHWAL:

34. That at page 3, for lines 16 to 18, the following be substituted, namely:-

“10. (1) The Chief Election Commissioner and other Election Commissioners shall be paid a salary which is equal to the salary of a Judge of the Supreme Court:”.

35. That at page 3, line 33, for the words “Cabinet Secretary”, the words “Judge of the Supreme Court” be substituted.

36. That at page 3, line 40, for the words “to the Cabinet Secretary”, the words “in accordance with the rules for the time being applicable to the service to which he belonged before his appointment as Chief Election Commissioner or an Election Commissioner” be substituted.

CLAUSE 11

BY SHRI ARJUN RAM MEGHWAL:

37. That at page 2, for lines 43 to 45, the following be substituted, namely:-

“(2) The Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court.

(3) The other Election Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner.”.

CLAUSE 15

BY SHRI ARJUN RAM MEGHWAL:

38. That at page 4, for lines 28 to 31, the following be substituted, namely:-

“15. Save as otherwise provided in this Act, the President may by rules determine the conditions of service relating to travelling allowance, medical facilities, leave travel concession, conveyance facilities, and such other conditions of service relating to the Chief Election Commissioner and other Election Commissioners.”.

Other conditions
of service.

NEW CLAUSE 15A

BY SHRI ARJUN RAM MEGHWAL:

39. That at page 4, after line 31, the following be inserted, namely:-

“15A. Notwithstanding anything contained in any other law for the time being in force, no court shall entertain or continue any civil or criminal proceedings against any person who is or was a Chief Election Commissioner or an Election Commissioner for any act, thing or word, committed, done or spoken by him when, or in the course of acting or purporting to act in the discharge of his official duty or function.”.

Protection of
Chief Election
Commissioner
and other
Election
Commissioners.

CLAUSE 19

BY SHRI ARJUN RAM MEGHWAL:

40. That at page 5, line 8, ***for*** the words “order made under section 18”, the words “rule and order made under this Act” be ***substituted***.

41. That at page 5, line 12, ***for*** the word “order”, the words “rule or order” be ***substituted***.

42. That at page 5, line 13, ***for*** the word “order”, wherever it occurs, the words “rule or order” be ***substituted***.

43. That at page 5, line 16, ***for*** the word “order”, the words “rule or order” be ***substituted***.

New Delhi;
11th December, 2023.

P.C.Mody,
Secretary-General