

# One nation one election – a critical analysis

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## Abstract

One nation one election is a system of election wherein the elections for all the 3 tiers of government i.e., Lok Sabha, State Assemblies and local bodies are held together on a same day. This idea is not novel as it was followed during 1952 – 1967. This paper starts with a detailed study of this concept and its history. It examines the scope of conducting simultaneous election at present and its feasibility. It analyses the pros and cons and the matters that are to be looked upon before implementing this system like constitutional amendments, preparations to be made by the Election Commission, etc. In nutshell, this paper tries to find out the possibilities of implementing this system of 'one nation one election' at present and all the allied measures that are to be taken to implement the same.

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## INTRODUCTION

India being one of the largest democracies in the world, it holds elections with much emphasis on it being free and fair.<sup>1</sup> There are two types of election followed in India:

- Direct election – Where the citizens directly cast their vote and elect their representatives and
- Indirect election – Where the elected representatives elect the other members.

Direct elections are held for Lok Sabha, State Legislative assemblies, local bodies across the country as laid down in the Indian Constitution, the *lex loci*. Though both the State assemblies and the Lok Sabha have same duration of 5 years,<sup>2</sup> elections are conducted at different phase of time. One nation one election has been a topic of discussion since 1970s but in the recent past it has been debated like never before because of the PM Narendra Modi's pitch.

## What is one nation one election?

It is a practice by which the elections for the Lok Sabha, State Assemblies and the local bodies are held at the same time. This essentially doesn't mean that the election must be on the same day throughout the country, but having election in a phase wise manner for a particular duration for Lok Sabha and

1 *Indira Nehru Gandhi v. Raj Narain*, 1975 AIR 865

2 Art 83, 172 of the Indian Constitution

State Assemblies wherein the voters will cast their vote for the two elections on the same day. In order to simply this process further, the PM Narendra Modi has emphasised on having a single voter list for both the elections.<sup>3</sup>

This system has been practiced in various countries across the globe namely Sweden, Indonesia, South Africa, Germany, Spain, Hungary, Belgium, Poland, Slovenia, Albania.<sup>4</sup> With an aim to implement this system of election, to persuade the parties to gain support to implement this practice yet another time, to discuss the pros and cons of the idea All India Political Parties Meet was called for by the ruling government. Of the 40 Parties who were offered a seat to attend and discuss the matter, only some 19 parties turned up and between them there were divergent opinions.<sup>5</sup> In their written submissions, the AIADMK, DMDK, Asom Gana Parishad, the Indian Union Muslim League and the Shiromani Akali Dal supported the idea, though with certain riders. On the other hand, the Indian National Congress, Trinamool Congress, the NCP, the CPI and the AIMIM opposed the idea as impractical.<sup>6</sup> As there has been constant opposition to its implementation, it has brought this topic to the limelight again. Since there are various nuances to be studied, feasibility to be ascertained, operational difficulties and possibilities to be discussed before implementing

3 Asaduddin Owaisi, ‘Simultaneous elections will undermine the Constitution, weaken democracy, and annihilate regional parties. Administrative convenience or expense can’t be an excuse’, *Hindustan times*, available at <https://www.hindustantimes.com/opinion/india-must-reject-the-one-nation-one-election-idea-101615558600563.html> (last accessed on Apr. 15<sup>th</sup>, 2023).

4 Law Commission of India, *170<sup>th</sup> Law Commission report*, Draft report on Simultaneous election (30<sup>th</sup> Aug 2018), [https://lawcommissionofindia.nic.in/reports/Simultaneous\\_Elections.pdf](https://lawcommissionofindia.nic.in/reports/Simultaneous_Elections.pdf)(last accessed on Apr. 15<sup>th</sup>, 2023).

5 ‘All-party meeting on ‘one nation, one election’ - Left parties not opposed to simultaneous polls, says Rajnath; Yechury terms it backdoor way of replacing parliamentary democracy’, *The Hindu*, June 19, 2019, available at <https://www.thehindu.com/news/national/all-party-meet-on-one-nation-one-election-simultaneous-polls-live-updates/article28073129.ece> (last accessed on Jun 01<sup>st</sup>, 2023).

6 Priyadarshi Dutta, ‘One nation, one election’, *Daily pioneer*, Dec 29, 2020, available at <https://www.dailypioneer.com/2020/columnists/one-nation--one-election.html>(last accessed on Apr. 15<sup>th</sup>, 2023).

this system of election, various committees have been formed and feasibility study has been carried out. All the observations and suggestions have been put forth and mentioned the following reports:

- Law commission report in 1983
- Law commission report in 1999
- Parliamentary standing committee report
- Niti ayogh report etc.

## HISTORY OF SIMULTANEOUS ELECTION

The concept of one nation one election is not novel to India as it was practiced earlier. Right from the very 1<sup>st</sup> general election in 1952 till 1967, the election was held simultaneous for both Lok Sabha and State Assemblies. As the Constitution came into effect on 26<sup>th</sup> January 1950, the first general election was conducted in 1952 in which election was held simultaneously. But Prof. Shibban Lal Saksena in the Constitutional Assembly Debates had rightly pointed out that

“It is quite possible that the elections to the various Legislatures in the provinces and the Centre will not be all concurrent. Every time some election or other will be taking place somewhere. It may not be so in the very beginning or in the very first five or ten years. But after ten or twelve years, at every moment some election in some province will be going on. ....in our Constitution all the elections will not synchronize but they will be at varying times in accordance with the vote of no-confidence passed in various Legislatures and the consequent dissolution of the Legislatures.”<sup>7</sup>

Interestingly, the scenario changed just as predicted by Prof. Shibban Lal Saksena and the elections are no longer synchronised.

## What lead to change in simulatenous election pattern?

Right from the 1<sup>st</sup> election in 1952, it was conducted simultaneously for 3 consecutive elections till 1965. This was disrupted for the first time in Kerala even before 1965 wherein the State Assembly was dissolved prematurely and the then CM E.M.S.

7 Aishwarya Lakshmi VM, ‘An analysis on ‘one nation, one election’ policy in India: is it the need of the hour?’ *JSLSR*, available at [https://jslsr.weebly.com/uploads/1/2/4/5/124513060/article\\_jslsr\\_3.pdf](https://jslsr.weebly.com/uploads/1/2/4/5/124513060/article_jslsr_3.pdf)(last accessed on Apr. 15<sup>th</sup>, 2023).

Nambudripad was thrown out of his post and an election was conducted mid-way.<sup>8</sup> In Orissa election which was supposed to be conducted in 1962 was conducted a year earlier in 1961. There are many such instances. As the situation in Orissa was politically volatile, elections were held in 1971, 1974, 1977 and 1980. Also, in Bihar polls were held in 1969 and 1972; 1968 and 1972 in Haryana; in West Bengal four polls were held in 1967, 1969, 1971 and 1972. But political turmoil has not been the only reason for earlier polls. For instance, polls were postponed to 1983 and 1985 in Assam due to students' agitation, which should have been held in early 1980s.

So, it is very clear that because of an array of reasons like passing of no-confidence motion, dissolution of Assemblies, defection from one party to another by the members which results in loss of majority to form government, proclamation of emergency and non-political reasons, the elections were either pushed or conducted prior to the due date on which the election actually fell due. Not just the state assemblies even the Lok Sabha has been dissolved prematurely. There were variations in the duration of Lok Sabha as well. For instance, the poll was held a year earlier in 1970, it was pushed for more than 2 years in 1975 and the election was held in 1977.<sup>9</sup>

The Table 1 indicates the duration of Lok Sabha since its inception in 1951. So, it is very evident that the duration of both the State Assemblies and Lok Sabha has changed drastically and this led to evolution of asynchronous election system in India. However, at present 4 States namely Andhra Pradesh, Odisha, Arunachal Pradesh and Sikkim have election on the same year as that of Lok Sabha.<sup>10</sup>

8 Nilanjan Mukhopadhyay, 'Past Continuous: History Shows Simultaneous Polls for Parliament and States Is a Bad Idea', *The wire*, Oct 10, 2017, available at <https://thewire.in/government/past-continuous-simultaneous-parliament-state-elections> (last accessed on Apr. 15<sup>th</sup>, 2023).

9 Bibek Debroy and Kishore Desai, 'A discussion paper on Analysis of simultaneous elections: the "what", "why" and "how"', *Niti Ayog*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15<sup>th</sup>, 2023).

10 'Explained: PM Narendra Modi calls for 'One Nation, One Election' What does this idea mean?', *Indian express*, Aug 16, 2019, available at <https://indianexpress.com/article/explained/one-nation-one-election-poll-narendra-modi-bjp-5908164/> (last accessed on Apr. 15<sup>th</sup>, 2023).

**Table 1:** Timelines of key milestones of various Lok Sabhas till date

Lok Sabha	Last date of poll	Date of constitution of Lok Sabha	Date of first sitting	Date of expiration of term (Article 83(2) of Constitution)	Date of dissolution of Lok Sabha	Overall Term (in days) (Col 6 - Col 4)	Overall Term (approx)
1	2	3	4	5	6	7	8
First	21-Feb-52	2-Apr-52	13-May-52	12-May-57	4-Apr-57	1787	5 years
Second	15-Mar-57	5-Apr-57	10-May-57	9-May-62	31-Mar-62	1786	5 years
Third	25-Feb-62	2-Apr-62	16-Apr-62	15-Apr-67	3-Mar-67	1782	5 years
Fourth	21-Feb-67	4-Mar-67	16-Mar-67	15-Mar-72	27-Dec-70	1382*	3 years & 10 months
Fifth	10-Mar-71	15-Mar-71	19-Mar-71	18-Mar-77	18-Jan-77	2132**	5 years & 10 months
Sixth	20-Mar-77	23-Mar-77	25-Mar-77	24-Mar-82	22-Aug-79	880*	2 years & 5 months
Seventh	6-Jan-80	10-Jan-80	21-Jan-80	20-Jan-85	31-Dec-84	1806	5 years
Eighth	28-Dec-84	31-Dec-84	15-Jan-85	14-Jan-90	27-Nov-89	1777	5 years
Ninth	26-Nov-89	2-Dec-89	18-Dec-89	17-Dec-94	13-Mar-91	450*	1 year & 3 months
Tenth	15-Jun-91	20-Jun-91	9-Jul-91	8-Jul-96	10-May-96	1767	5 years
Eleventh	7-May-96	15-May-96	22-May-96	21-May-01	4-Dec-97	561*	1 year & 6 months
Twelfth	7-Mar-98	10-Mar-98	23-Mar-98	22-Mar-03	26-Apr-99	399*	1 year & 1 month
Thirteenth	4-Oct-99	10-Oct-99	20-Oct-99	19-Oct-04	6-Feb-04	1570*	4 years & 4 months
Fourteenth	10-May-04	17-May-04	2-Jun-04	1-Jun-09	18-May-09	1811	5 years
Fifteenth	13-May-09	18-May-09	1-Jun-09	31-May-14	18-May-14	1812	5 years
Sixteenth	12-May-14	18-May-14	4-Jun-14	3-Jun-19	NA	NA	NA

\*Mid term polls were held. Dissolution took place before the elections. \*\*Extension due to proclamation of Emergency.

Source: Table - 1, Page 2, Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015)

## NEED FOR IMPLEMENTING ONE NATION ONE ELECTION

the reason for promoting this concept is based on the following reasons:<sup>11</sup>

- Cost of conducting elections every year has a huge impact on the exchequer
- With frequent elections and constant application of Moral Code of Conduct, the administration is getting adversely impacted
- Constant deployment of security forces for election makes them unavailable for other important works for which they are actually deployed and trained.
- It disrupts the normal life of the public.

Even the Law Commission in its earlier report in the year 1983 has suggested conducting simultaneous election and in the 170<sup>th</sup> report published in 1999 stated that

"We must go back to the situations where the election to Lok Sabha and all the State assemblies are held at once."

But a practice with such a drastic impact on the Indian polity and every single subject of the country and not just the political parties or the MPs and MLAs must be implemented only after knowing how possible and feasible it is to implement it and cannot be giving force with blind folded eyes.

11 Ibid

## Feasibility of implementing the system

For this system to be implemented, it is imperative to study the statutory provisions, the present system of conducting the election and the flaws we had in 1960s when this system was in vogue.

The process of election right from the issuing notifications to accepting and scrutinizing the applications till the declaration of results is carried out by the Election Commission as per the provisions given in the

- Representation of People's Act, 1950
- Representation of People's Act, 1951, etc.

Also, the matters related to duration of houses of Parliament, State legislatures, qualification and disqualification of members, constitution of the Election Commission, etc. are discussed in the Constitution of India.

## Conducting local body election

Under the concept of one nation one election, the election for Lok Sabha, State Assemblies AND local bodies are to be held together. But it is almost impossible to conduct the local body's election along with the other two. This is because Local body elections come under State list<sup>12</sup> and are conducted by State Election Commission constituted under Art 243K while the election to Lok Sabha is conducted by the National Election Commission constituted under Art 324. Also, different states have different systems of conducting the local body's election within their state. In addition to this, though the duration is also for 5 years just like State assemblies and Lok Sabha, there is no provision for preponing the elections or dissolving it unlike State Assembly election or Lok Sabha.<sup>13</sup> All these reasons make it hard to synchronise the election with Lok Sabha and State Assemblies. Thus, the concept has to be constrained only to Lok Sabha and State Assemblies.

<sup>12</sup> Entry 5 of List II of Schedule 7

<sup>13</sup> Part IX of the Indian Constitution which provides for elections to Panchayats has nowhere provided for preponing or dissolving the local bodies election. Art 243E explicitly states that Panchayats cannot be dissolved. Similar provision for municipalities is given under Art 243U of the Indian Constitution.

## Legal impediments and problems with synchronisation

For this system to be implemented yet another time there has to be several amendments made to the Constitution of India, Representation of Peoples Act, 1950 and 1951. Perusal of the following provisions is a must before dwelling further into the concept:

- Art 83: Duration of both the houses of Parliament
- Art 172: Duration of State Assembly
- Art 85(2)(b): President's power to dissolve the house of Parliament
- Art 174(2)(b): Governor's power to dissolve State Assembly
- Art 75: Dissolution of Lok Sabha
- Art 164: Dissolution of State Assemblies
- Art 368: Procedure for amendment of the Constitution
- 10<sup>th</sup> Schedule: Anti-defection laws
- Art 324: National Election Commission
- Art 234K: State Election Commission

Sec 14 and 15 of the Representation of People Act: It gives power to the Election Commission to conduct elections 6 months earlier than the due date.<sup>14</sup>

Art 83 and 172 says that the duration of the Assemblies is for 5 years. But it can be dissolved earlier by passing a no confidence motion or by imposing President's rule. In both these cases, the tenure will come to an end soon and the duration of 5 years cannot be fulfilled. But if the one nation one election system is to be implemented there must be synchronisation of elections as different state Assemblies are at different durations of their tenure. Table 2 shows the existing duration and the tentative dates of election for all the 29 States in India.<sup>15</sup>

So, there has to be some mechanism through which the elections can be synchronised. NITI AAYOGH has come with a solution to address this issue. With an aim to synchronise the duration

<sup>14</sup> As a general rule, elections are to be conducted on the expiration of the duration of the existing House or on its dissolution. However, the Election Commission is empowered under Sec 14 and 15 of the 1951 Act to conduct the elections 6 months prior to the date on which the term expires.

<sup>15</sup> Bibek Debroy and Kishore Desai, 'A discussion paper on Analysis of simultaneous elections: the "what", "why" and "how"', *Niti Ayog*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15th, 2023).

**Table 2:** Terms of Existing State Assemblies

Sl. No.	State Assembly / Lok Sabha	From	To
1	Andhra Pradesh	19-Jun-14	18-Jun-19
2	Arunachal Pradesh	2-Jun-14	1-Jun-19
3	Assam	May/Jun 2016	May/Jun 2021
4	Bihar	30-Nov-15	29-Nov-20
5	Chhattisgarh	6-Jan-14	5-Jan-19
6	Goa	19-Mar-12	18-Mar-17
7	Gujarat	23-Jan-13	22-Jan-18
8	Haryana	3-Nov-14	2-Nov-19
9	Himachal Pradesh	8-Jan-13	7-Jan-18
10	Jammu & Kashmir	17-Mar-15	16-Mar-21
11	Jharkhand	6-Jan-15	5-Jan-20
12	Karnataka	29-May-13	28-May-18
13	Kerala	May/Jun 2016	May/Jun 2021
14	Madhya Pradesh	8-Jan-14	7-Jan-19
15	Maharashtra	10-Nov-14	9-Nov-19
16	Manipur	19-Mar-12	18-Mar-17
17	Meghalaya	7-Mar-13	6-Mar-18
18	Mizoram	16-Dec-13	15-Dec-18
19	Nagaland	14-Mar-13	13-Mar-18
20	Odisha	12-Jun-14	11-Jun-19
21	Punjab	19-Mar-12	18-Mar-17
22	Rajasthan	21-Jan-14	20-Jan-19
23	Sikkim	28-May-14	27-May-19
24	Tamil Nadu	May/Jun 2016	May/Jun 2021
25	Telangana	9-Jun-14	8-Jun-19
26	Tripura	15-Mar-13	14-Mar-18
27	Uttarakhand	27-Mar-12	26-Mar-17
28	Uttar Pradesh	28-May-12	27-May-17
29	West Bengal	May/Jun 2016	May/Jun 2021
30	NCT of Delhi	24-Feb-15	23-Feb-20
31	Puducherry	May/Jun 2016	May/Jun 2021

Source: Website of Election Commission, [http://eci.nic.in/eci\\_main/terms\\_of\\_houses.aspx](http://eci.nic.in/eci_main/terms_of_houses.aspx)

before the 2024 Lok Sabha elections, it came up with the idea of conducting elections in a phase wise manner i.e., by conducting elections for some 12 states in mid-2019 along with Lok Sabha elections and then for the remaining states in 2024 along with the next Lok Sabha election.<sup>16</sup> But for this to be achieved, the existing government has to be dissolved earlier or the duration has to be extended.

This cannot be achieved without amending Constitution and other related Acts like the 1950 and 1951 Representation of Peoples Act. Though Sec 14 and 15 of the RPA 1951 allows the Election Commission to conduct elections 6 months prior to the due date or 6 months after the last date, such a mass synchronisation can only be done by introducing drastic changes in the existing code. But this cannot be implemented as the 2019 election of Lok Sabha is already done with but the elections were not synchronised and the Phase 1 idea was not given force to. But what is true is that there has to be drastic amendments made in the Indian Constitution before any kind of synchronisation. With a view to substantiate this point, the author would like to quote Nasim Zaidi, the Chief Election Commissioner of India, mentioned

<sup>16</sup> Bibek Debroy and Kishore Desai, ‘A discussion paper on Analysis of simultaneous elections: the “what”, “why” and “how”’, *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf>(last accessed on Apr. 15<sup>th</sup>, 2023).

“We are on board with our proposal that elections can be held together provided there is consensus, unanimity of opinion among the political parties and also there are amendments in the Constitution.”<sup>17</sup>

In a draft report on August 30, 2018, the Law Commission headed by Justice B S Chauhan opined that simultaneous elections could not be held within the existing framework of the Constitution.

“...Appropriate amendments to the Constitution, the Representation of the People Act 1951, and the Rules of Procedure of Lok Sabha and state Assemblies are to be made”<sup>18</sup>

While it might sound easy to implement this system in a phase wise manner, in reality it is a herculean task, the reason being that the amendments cannot be easily made under Art 368 without obtaining majority and most importantly, without affecting the basic structure of the Indian Constitution.

### How does it affect the basic structure?

A federal governmental set up is where there is bifurcation of power between the Centre and the State. This concept of federalism has been dealt with in detail in Indian Constitution wherein the powers of and the relationship between the centre and state are discussed at length. Even though we strictly don't follow the federalism principle, we in India have Quasi-federal structure and the States are given autonomy in areas which exclusively falls under the State list. This structure of federalism is said to be a basic structure of Indian Constitution in the case of *Kesavananda Bharati v. State of Kerala*.<sup>19</sup> This was also reiterated in the case of *S.R. Bommai v. UOI*.<sup>20</sup>

But if this system of one nation one election is to

<sup>17</sup> Bibek Debroy and Kishore Desai, ‘A discussion paper on Analysis of simultaneous elections: the “what”, “why” and “how”’, *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf>(last accessed on Apr. 15<sup>th</sup>, 2023).

<sup>18</sup> ‘Draft report on simultaneous elections’, *PRS India*, available at <https://prsindia.org/policy/report-summaries/draft-report-simultaneous-elections> (last accessed on Jun. 01<sup>st</sup>, 2023).

<sup>19</sup> *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461

<sup>20</sup> *S.R. Bommai v. UOI*, 1994 AIR 1918

be given force to, there will a constitutional massacre of the concept of federalism and democracy. This is because, the two options we are left to implement this system are:

- Extension of the duration or curtailing the duration of the existing state government to synchronize with the Lok Sabha election.
- President's rule is to be imposed and there must be dissolution of the State Assemblies.

But the discussion doesn't end there. Even after implementing this system, if there arises a need for mid-term elections, the synchronisation will get affected. So, the alternate mechanism they have come up with is that:

- If a 'no confidence motion' is to be passed in the assembly, then it must be followed by a confidence motion in favour of another party.
- If the majority party it's loses support halfway through, then the minority party would come to power.
- In worst case scenario, President's rule is to be imposed.<sup>21</sup>

These practices take a serious toll on federalism and democracy. It affects democracy because the people are not going to be governed by the rulers for whom they have cast their vote. Minority government rule or President's rule is an imposition on the people which goes against their choices and decisions. It affects federalism because President's rule if imposed would impair the functioning of the State government.

It is a matter of serious concern because any amendment which goes against the basic structure of Indian Constitution will be struck down by the Judiciary by exercising judicial activism. With such a divergent view between the parties, it will be highly difficult to pass this constitutional amendment and even when done, the odds of the amendment being struck down by the judiciary are pretty high.

## Election commission's view point

Since the elections are conducted by the Election

21 Bibek Debroy and Kishore Desai, 'A discussion paper on Analysis of simultaneous elections: the "what", "why" and "how"', *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15<sup>th</sup>, 2023).

Commission, it is imperative to know how possible it will be for them to conduct a single election for Lok Sabha and State Assemblies throughout the country in a phased wise manner.

National Election Commission puts the election process into motion for Lok Sabha and State Assemblies. There are several aspects which are to be looked upon before conducting the election. Those include availability of EVMs, deployment of security forces, preparation of voters list and electoral rolls at the same time for all the 29 states and Union Territories.

In this line, Nasim Zaidi, the Chief Election Commissioner of India said that

"As a Commission, this is our recommendation to the Law Ministry, that elections in the country can be held together for both State Assemblies as well as the Lok Sabha.... To conduct these elections simultaneously we would need certain logistic arrangements in terms of procurement of more electronic machines, hiring of temporary workers, and staggering the election date."<sup>22</sup>

As far as availability of EVMs and VVPATs are concerned, the Election Commission has it in excess number than what is required for conducting Lok Sabha elections. It can be used for a lifetime of 15 years. 14.88 lakh Ballot Units and 11.3 lakh Control Units and 11.59 lakh VVPAT machines were used in the 2019 general elections. The Election Commission has 23.3 lakh Ballot Units, 16.35 lakh Control Units and 17.4 lakh VVPAT machines, including those blocked-in election petition cases.<sup>23</sup>

But this number is certainly not enough for conducting simultaneous election in India even after assuming that there would be a need of just 2.0 BU and 1.9 CU in each polling booth. The Parliamentary Committee Report states that the election commission has to spend at least 9300

22 Natasha Chaku, 'EC ready to hold national, state poll simultaneously: Zaidi', *India Today*, available at <https://www.indiatoday.in/pti-feed/story/ec-ready-to-hold-national-state-polls-simultaneously-zaidi-635997-2016-07-05> (last accessed on Jun. 01<sup>st</sup>, 2023).

23 Priyadarshi Dutta, 'One nation, one election', *Daily pioneer*, Dec 29, 2020, available at <https://www.dailypioneer.com/2020/columnists/one-nation--one-election.html> (last accessed on Apr. 15<sup>th</sup>, 2023).

Crores to purchase new machines.<sup>24</sup>

Another major requirement of the Election Commission is Security Personal. As far as deploying them is considered, the idea of one nation one election is most advantageous, reason being they can be used for some other productive purpose for which they are actually trained throughout the whole tenure of the government.

Also, with the PM Narendra Modi's idea of having one voters list for both Lok Sabha and State Assemblies lots of time, effort and money can be saved. So, the Election Commission is justified in saying that they can carry out this mission provided appropriate amendments are made.

## PROS AND CONS

### Pros

#### Reduction in cost

At present, with elections having at all the time of the year, the exchequer is burdened with expenses to be made which can be avoided if simultaneous elections are conducted. For instance, for conducting 2009 Lok Sabha elections Rs. 1115 crores were spent, Rs. 3870 crores in 2014 elections and around 60,000 crores were spent for 2019 Lok Sabha election alone (Figure 1).

When the first elections to the Lok Sabha took place in 1951-52, 53 parties contested the elections, around 1874 candidates participated and poll expenses were Rs. 11 crores. On the contrast in 2019 elections, there were 610 political parties, around 9,000 candidates and poll expenses of around Rs. 60,000 crore rupees was spent.<sup>25</sup> The expenses are not only incurred by the ECI by also by the Centre and the State government. The below table indicates the money spent by the Election Commission (Figure 2).<sup>26</sup>

24 Bibek Debroy and Kishore Desai, 'A discussion paper on Analysis of simultaneous elections: the "what", "why" and "how"', *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15<sup>th</sup>, 2023).

25 Amit Singh, 'One election: Constitutional Challenges', *Legal service India*, available at <http://www.legalserviceindia.com/legal/article-1763-one-nation-one-election-constitutional-challenges.html> (last accessed on Apr. 15<sup>th</sup>, 2023).

26 Amit Garg, 'One nation one election – A critical

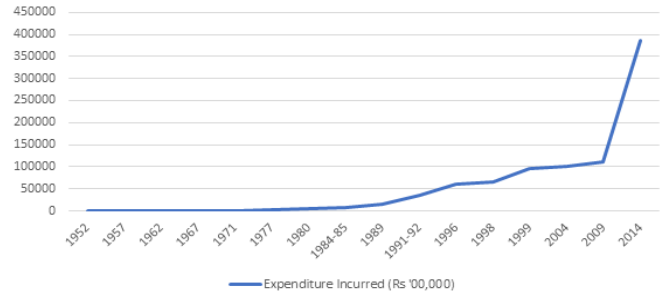


Figure 1: Expenditure Incurred by Government of India Towards Lok Sabhas Elections

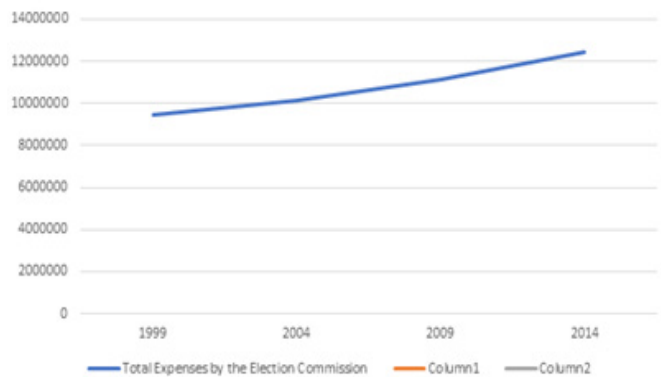


Figure 2: Expenses by Election Commission of India

Thus, it is clear that the burden to spend is on all the 3 entities – Election Commission, State and Central government. While the Central government spends for Lok Sabha elections and the State for State assemblies, if the simultaneous election comes into roll, then the expenses will be shared by both centre and the state in 50:50 ratio. Thus, the burden will be shared and the money to be spent by the Election Commission is pegged at Rs. 4500 crores if elections are to be held simultaneously.<sup>27</sup> The fact that there would be deployment of security forces only once in 5 years and not every year would imply that there would be massive reduction in expenses in this head alone.

#### More time for other work

since elections are conducted throughout the year, the parties and the government concentrate more analysis', *Ipleaders*, Aug 4, 2018, available at <https://blog.ipleaders.in/one-nation-one-election/> (last accessed on Apr. 15<sup>th</sup>, 2023).

27 Bibek Debroy and Kishore Desai, 'A discussion paper on Analysis of simultaneous elections: the "what", "why" and "how"', *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15<sup>th</sup>, 2023).

on campaigning, preparing manifestos, wooing the voters and preparing strategies to win elections. Thus, with the very little time left in their hands, productivity decreases. But if this system comes into vogue, the only way for the ruling party to form government yet another time, would be to work effectively and to promote welfare.

### **Mcc and policy paralysis**

moral Code of Conduct will be implemented during election which dictates the dos and don'ts for political parties and the candidates. It will come into picture from the date the notifications are issued. Since then, the ruling government cannot introduce any new policies or programs no matter how urgent it is. With 5-6 elections around the year, there is constant application of the Code and it hinders the development of the country. As the Niti Aayog study adduces, in the most recent 2014 general elections,

“Governance and developmental activities due to imposition of Model Code remained largely suspended for about 7 months: 3 months across the country and about 2 months in Jharkhand & J&K and another 2 months in Maharashtra and Haryana.”<sup>28</sup>

Implementing simultaneous elections will certainly help us avoid this difficulty.

### **Better deployment of security force**

Conducting election is a herculean task and for that the election Commission is constantly in need of security personal not just on the polling day but till counting of votes and declaration of results. Their presence is a must throughout the process of election to ensure that the work is carried out smoothly. As the demand of CAPF is higher than the supply, they employ state police force and district police force. This makes them unavailable for other works for which they are actually trained.

While conducting elections to the 16th Lok Sabha, the ECI took the help of approximately 10 million personnel as polling officials for running and

28 Aishwarya Lakshmi VM, ‘An analysis on ‘one nation, one election’ policy in India: is it the need of the hour?’, *JSLSR*, available at [https://jslsr.weebly.com/uploads/1/2/4/5/124513060/article\\_jslsr\\_3.pdf](https://jslsr.weebly.com/uploads/1/2/4/5/124513060/article_jslsr_3.pdf) (last accessed on Apr. 15<sup>th</sup>, 2023).

supervising the election process across 9,30,000 Polling Stations of the country. This translates to an average of about 10.75 personnel per polling station.<sup>29</sup> Employing these many police force for once in a period of 5 years is the best and the most sensible alternative instead of using them for the purpose of elections alone the whole year.

### **Prevents circulation of black money**

Every candidate contesting in Lok Sabha election can spend up to a maximum limit of Rs. 70 Lakhs and the cap for state assemblies is 28 lakhs. This is the ceiling amount fixed for the candidate but there is no such limit for political parties. Thus, it is often considered as a major source of release of black money into circulation as the parties work with the sole aim of winning elections and are ready to employ any means to achieve that.

In this regard, Dr. S. Y. Quraishi, former Chief Election Commissioner, remarked

“... elections have become the root cause of corruption in the country”. He further mentioned that “... after winning elections, the politician-bureaucrat nexus indulges in “recovering the investment” and that is where corruption begins”.<sup>30</sup>

But with the implementation of simultaneous election this could be avoided to a greater extent.

### **Voters turnover might increase**

Since the voters are asked to cast their vote and exercise their democratic rights on a single day, there is a popular opinion that there might be an increase in voter's turnover. Also, there is another say that the NRIs might turn up as the elections will be conducted once in 5 years for both Lok Sabha and State Assemblies and that too on same date.

29 Bibek Debroy and Kishore Desai, ‘A discussion paper on Analysis of simultaneous elections: the “what”, “why” and “how”’, *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15<sup>th</sup>, 2023).

30 Bibek Debroy and Kishore Desai, ‘A discussion paper on Analysis of simultaneous elections: the “what”, “why” and “how”’, *Niti Ayogh*, available at <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf> (last accessed on Apr. 15<sup>th</sup>, 2023).



## Cons

### **Overshadowing of states by centre and suppression of regional parties**

If simultaneous elections are to be conducted, there would be a fear that the Centre's power and interest would preside over that of the State. This is because, the regional parties cannot compete with the national parties when it comes election expenditure, campaigning, etc. Also, the area of interest of centre is different from that of the state.

In a study conducted, it was revealed that when simultaneous elections are held, people tend to vote for national parties and 77% voters casted their votes for the same party. This might lead to dominance of the Central government and the national parties.<sup>31</sup>

### **Hung assemblies, coalition shifts**

Hung assembly refers to a situation where no party has obtained majority. In such a scenario, the President or the Governor cannot invite any party to form government. Which a problem like this arises, then the very purpose of conducting simultaneous elections would be defeated as it would require a fresh election to be conducted.

Again, if a coalition government has been formed as there is no party with a single majority to rule, any shift or sliding by the other party would tremble the government as it would loss majority in the house. All these issues are to be well addressed before restoring the old system of simultaneous election back.

### **Reduces political accountability**

Some people opine that simultaneous elections affect public accountability. If this system is implemented, there will be no chance to dissolve and can act according to their whims and fancies. Dr. S. Y. Qureshi is of the opinion that having to face electorate more than once every 5 years enhances the accountability of politicians and keeps them on their toes.<sup>32</sup>

31 Praveen Chakravarty, 'The one-election idea is a farce', *The Hindu*, Dec 05, 2017, available at <https://www.thehindu.com/opinion/op-ed/the-one-election-idea-is-a-farce/article21261615/ece> (last accessed on Apr. 15<sup>th</sup>, 2023).

32 S. Y. Quraishi, 'Holding LS, Assembly polls together is desirable but not feasible', *Quint*, Sept. 5, 2016, available at <https://www.thequint.com/opinion/2016/06/13/>

### **Delay in declaration of results**

At present, with elections being conducted for each State Assemblies on different states, it is not a very difficult problem for the Election Commission to declare results. But that will not be the case if simultaneous elections. It will be a tedious task to count votes and declare the results. It might more than a week to announce the results for both Lok Sabha and State Assemblies. Even though EVMs are used, if the number of candidates exceeds 384, then ballot paper will only be used. It makes the process of declaration of results even more cumbersome.

### **Constitutional problem**

Even if the benefits we derive from simultaneous elections makes it a most preferable change, it is a mammoth task to implement the same. This is because it cannot be achieved without amending constitution and other laws which deals with election like Representation of Peoples Act, 1950 and 1951 and a constitutional amendment requires majority support in both the houses. As there is no concurrence between the views of the political parties, it is still considered as a herculean task.

### **Common roll and delimitation**

While preparation of common roll for both the Lok Sabha and State Assemblies is a desirable aim, it cannot be achieved till 2031 as delimitation cannot be done till then.<sup>33</sup> This implies that the simultaneous elections cannot be enforced till then or if enforced, we cannot have a common roll.

## Suggestions and conclusion

### **Suggestions**

The following are the authors' suggestion for implementing simultaneous elections:

- Since there could always be a chance of dissolution by passing no confidence vote, the system of "CONSTRUCTIVE NO CONFIDENCE" is

holding-ls-assembly-polls-together-is-desirable-but-not-feasible (last accessed on Apr. 15<sup>th</sup>, 2023).

33 Praveen Chakravarty, 'The one-election idea is a farce', *The Hindu*, Dec 05, 2017, available at <https://www.thehindu.com/opinion/op-ed/the-one-election-idea-is-a-farce/article21261615/ece> (last accessed on Apr. 15<sup>th</sup>, 2023).

to be introduced. This will help in continuing the government. This system is currently followed in Germany.

- Even if there arises a need to conduct mid-term election, the tenure should be only for remaining period so that it synchronises itself with Lok Sabha and other State assemblies.
- Anti-defecting with the aim to dissolve the government should be stopped at the very beginning.
- There should however be a possibility to throw the government out of power if there is any abuse or misuse of power. We cannot compromise with such behaviour just to maintain the simultaneous election system.
- All the amendments required to be made should be carried out only after ensuring that the federalism and the democratic system remains unaffected. Simultaneous elections at the cost of these two should never be allowed.
- It would be desirable to have a fixed date for conducting the elections as in the case of the US.
- Preparation of a common voter roll is a desirable aim which will be very fruitful as it will save lot of time, money and effort.

## CONCLUSION

This is a much-preferred system when the ultimate aim is to reduce cost and avoid unnecessary expenses. But if the aim is to promote a healthy centre-state relation and to have a co-operative federalism in a democratic system, several issues are to be addressed as mere synchronisation of elections will be a futile exercise. The Chief Election Commissioner Sunil Arora precisely pointed out that

*“It is a very desirable goal, but for that, political systems of the country will have to take steps to align the life of a state Assembly with the life of Parliament”.*<sup>34</sup>

Thus, any step towards implementing this system should be well mooted and deliberated and consensus of the majority is to be obtained. Implementing this system for the 2024 elections

<sup>34</sup> ‘Explained: PM Narendra Modi calls for ‘One Nation, One Election’ What does this idea mean?’, *Indian express*, Aug 16, 2019, available at <https://indianexpress.com/article/explained/one-nation-one-election-poll-narendra-modi-bjp-5908164/> (last accessed on Apr. 15<sup>th</sup>, 2023).

is almost impossible but can be introduced in near future if suitable accommodations are made for the implementation of the same. Nonetheless, it has to be ensured that such measures are in consonance with the principles enshrined in our Constitution.

## BIBLIOGRAPHY

### Primary sources

- constitution of India, 1950
- Representation of People’s Act, 1950
- Representation of People’s Act, 1951
- 170<sup>th</sup> Law Commission Report, 1999
- Draft report on simultaneous elections, 2018

### Secondary sources

- aishwarya Lakshmi VM, ‘An analysis on ‘one nation, one election’ policy in India: is it the need of the hour?’, *JSLSR*, [https://jslsr.weebly.com/uploads/1/2/4/5/124513060/article\\_jslsr\\_3.pdf](https://jslsr.weebly.com/uploads/1/2/4/5/124513060/article_jslsr_3.pdf)
- Asaduddin Owaisi, ‘India must reject the one nation-one election idea’, *Hindustan times*, Mar 12<sup>th</sup>, 2021, <https://www.hindustantimes.com/opinion/india-must-reject-the-one-nation-one-election-idea-101615558600563.html>
- ‘Electoral Statistics’, *Ministry of Statistics and Programme Implementation*, [http://mospi.nic.in/sites/default/files/Statistical\\_year\\_book\\_india\\_chapters/Electoral\\_Statistics.pdf](http://mospi.nic.in/sites/default/files/Statistical_year_book_india_chapters/Electoral_Statistics.pdf)
- ‘Explained: PM Narendra Modi calls for ‘One Nation, One Election’. What does this idea mean?’, *Indian express*, Aug 16<sup>th</sup>, 2019, <https://indianexpress.com/article/explained/one-nation-one-election-poll-narendra-modi-bjp-5908164/>
- ‘Feasibility of holding simultaneous elections to Lok Sabha and State Legislative Assemblies’, *PRS legislative research*, <https://www.prsindia.org/report-summaries/feasibility-holding-simultaneous-elections-lok-sabha-and-state-legislative>
- Kishore Desai, ‘Simultaneous elections (one nation one election)’, *Dr. Shyama Prasad Mookerjee Research Foundation*, <https://www.spmrf.org/wp-content/uploads/2020/12/Note-on-Simultaneous-Elections.pdf>
- Dr. Jayaprakash Narayan, ‘One Nation – one election – Suraaj – the way forward’



- Foundation for democratic reforms*, <https://ekcenter.fdrindia.org/sites/default/files/articles/One%20Nation%20%E2%80%93%20One%20Election%20%E2%80%93%20%20%20Suraaj%20%E2%80%93%20The%20Way%20Forward.pdf>
- 'PM Modi makes pitch for 'One Nation, One Election' system', *Free Press Journal*, Nov 26, 2020, <https://www.freepressjournal.in/india/pm-modi-makes-pitch-for-one-nation-one-election-system>
  - Vidya Raja, 'One nation one election : Are simultaneous polls a good or bad for India?', *The better India*, May 28<sup>th</sup>, 2018, <https://www.thebetterindia.com/143182/one-nation-one-election-simultaneous-polls-good-or-bad/>
  - Yusuf Begg, 'One nation, one election? Perish the thought', *India today*, Jun 22<sup>nd</sup>, 2019, <https://www.indiatoday.in/india/story/one-nation-one-election-perish-thought-1553953-2019-06-22>