



One Nation One Election In A Plural Democracy

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Abstract

This study investigates the possible effects—both favourable and unfavourable—of holding simultaneous elections throughout India, a concept known as "One Nation, One Election." In an effort to lessen the frequency of election cycles, this suggested modification would synchronize the dates of national, state, and local elections. According to several reports, synchronized elections might result in significant cost savings for both Central and state governments by lowering expenditures associated with election administration, security, and governance. Annual savings of almost ₹45 billion are projected. The impact on state governments varies; while national issues may take precedence over local issues, state administrations would gain from dedicating more time to governance. This could limit the expression of discontent with state governments at different times, but it might also lessen voter fatigue. Synced elections provide less political instability and more stable policies from a government perspective. All things considered, concurrent elections strengthen political and economic stability and encourage improved governance.

Keywords: One Nation One Election, Election, Democracy, feasible, India

Introduction

One of the main topics of conversation lately has been the controversy surrounding the concept of coordinating and synchronizing polls throughout India, often known as "One Nation One Election." The idea behind the same is that elections to the Lok Sabha, State Assemblies, and local government bodies are to be consolidated either by simultaneous elections or within a predetermined cycle. Proponents contend that this reform would reduce costs, improve governance, ease political pressure, quell populist impulses, and promote a more coordinated response to national challenges¹. It's viewed as a move away from an ongoing election cycle, which enables governments to put longer-term policy decisions ahead of immediate electoral concerns in turn boosts administration. This all started by constituting a high-level committee in September, 2023 by the NDA government headed by the Ex President of India Mr. Ramnath Kovind. The recommendation of the high-level committee was submitted in 14th March, 2024² to the President of India Smt. Droupadi Murmu and on 18th September, 2024, the union cabinet, Government of India gave nod to the report submitted by the high-level committee. It is important to note that 62 political parties were asked to give their opinions out of which 47 political parties gave their respective opinions. 32 political parties supported the idea of One Nation One Election on the other hand 15 parties were against it including the Congress. TDP which is the major political party in NDA alliance doesn't give their opinion rather they have said in media that principally they are agreeing with the idea.

¹ <https://www.ijfmr.com/papers/2024/1/13626.pdf>

² <https://pib.gov.in/PressReleaseSelfFramePage.aspx?PRID=2014497>

Early general elections after independence were held in conjunction with elections to state legislature assemblies. This went from 1952 until 1967³, but in 1968 and 1969 there were disturbances because certain state assemblies were dissolved too soon. Election Commission of India recommended about the same in the year 1983 also. The Law Commission of India published a preliminary report endorsing simultaneous elections in the year 1999 & August, 2018 and to allow for this synchronization, it suggested amending the Representation of the People Act of 1951, the Rules of Procedure of the Lok Sabha, and state assemblies. Constitution Review Committee Report placed in the year 2002⁴ was also in support of One Nation One Election. The Parliamentary Standing Committee on Personnel Public Grievance, Law & Justice 2015 also highlighted the benefits of holding simultaneous elections, including financial savings for the public coffers, less demand on law enforcement and administrative resources, prompt implementation of government directives, and a reallocation of administrative attention from electioneering to developmental initiatives. The high-level Committee also put forward the election process in South Africa, Sweden, Belgium, Germany, Japan, Indonesia and Philippines⁵ but in my little knowledge these countries in no way is similar to our democratic status.

Constituent Assembly Debates

This idea of “One Nation One Election” was never envisaged in the year 1950 when the Constitution of India was adopted and as such, the persons who are behind this idea are giving the logic of debates in constituent assembly and some of it are discussed below.

Ambedkar never envisaged ‘One Nation, One Election’ idea

It is worthwhile to go through the discussions that took place in the Constituent Assembly on June 15, 1949 after Dr B.R. Ambedkar moved Article 289 which, among others, provided that the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of all elections to the Parliament and to the legislature of every state would be vested in a body outside the Executive to be called the Election Commission. Article 289 of the draft Constitution was the same as Article 324 of the Constitution of India⁶

Dr B.R. Ambedkar was deeply mindful of the situation when a bye-election might take place at any time.

He then stated that the Election Commission would be a permanent body with one man called the Chief Election Commissioner with a skeleton machinery at his disposal to conduct elections which he said “*will generally take place at the end of five years*”.

But he was deeply mindful of the situation when a bye-election might take place at any time, therefore he proceeded to add, “*The assembly may be dissolved before its period of five years has expired. Consequently, the electoral rolls will have to be kept up to date all the time so that the new election may take place without any difficulty.*”

“*It was, therefore, felt that having regard to these exigencies, it would be sufficient if there was permanently in session one officer to be called the Chief Election Commissioner; while when the elections are coming up, the President may further add to the machinery by appointing other members to the Election Commission.*”

Quite clearly, Dr Ambedkar’s utterances in the Constituent Assembly that elections would generally take place at the end of five years and there would be the necessity of conducting another election within the five-year time frame in case an assembly got dissolved underlined his intent that in India simultaneous elections to assemblies could not be prescribed by the Constitution.

³ <https://indianexpress.com/article/opinion/columns/the-case-for-one-nation-one-election-9216230/>

⁴ <https://indianexpress.com/article/opinion/columns/one-nation-one-election-promises-a-more-efficient-democracy-9577731/>

⁵ <https://www.epw.in/journal/2024/1/perspectives/simultaneous-elections-plural-societies.html>

⁶ <https://sabrangindia.in/constituent-assembly-did-not-envision-one-nation-one-election/>

Shibban Lal Saxena's stand in the Constituent Assembly

Another distinguished member of the Constituent Assembly Shibban Lal Saxena, while participating in the discussion on Article 289, referred to the point made by Dr Ambedkar that the Election Commission might not have adequate work after the conduct of elections and so it should have only Chief Election Commissioner and other commissioners would be appointed, if required, prior to the announcement of election schedules.⁷

Saxena went on to say, *"In our Constitution, all the elections will not synchronise 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."*

Even before he articulated those thoughts he stated, *"Our Constitution does not provide for a fixed four-year cycle like the one in the United States of America. The elections will probably be almost always going on in some province or the other."*

While noting that India would have about thirty provinces after the integration of states into the Indian Union he made it very clear that *"our Constitution provides for the dissolution of the legislature when a non-confidence is passed"* and presciently remarked, *"So it is quite possible that the elections to the various legislatures in the province and the Centre will not be all concurrent."*

He forcefully observed, *"Every time some election or other will be taking place somewhere."* Then he very prophetically said, *"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 elections in some province will be going on."*

"Therefore," he said, *"it will be far more economical and useful if a permanent Election Commission is appointed— not only the Chief Election Commissioner but three or five members of the commission who should be permanent and who should conduct the elections."*

He dispelled the notion that the Election Commission would be deficient in terms of work because, according to him, frequent elections would be conducted taking into account the exigencies of the situation that would arise following the premature dissolution of legislatures after the fall of the governments, among others, on the basis of passage of no-confidence motions against them.

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Shibban Lal Saxena's assertion in 1949 that *"in our Constitution all the elections will not synchronise"* clearly reflected the legislative intent of the Constituent Assembly for not conducting elections, as accepted by Modi regime, simultaneously for the Lok Sabha and state assemblies.

It corresponded to the aforementioned statement of Dr Ambedkar who while stating that elections *"will generally take place at the end of five years"* was deeply conscious of the fact that a legislature might get dissolved before its mandated period of five years and it would necessitate an election.

R.K. Sidhwa's stand

Another prominent member, R.K. Sidhwa, while speaking on the discussion on the Election Commission in the Constituent Assembly said, *"We shall have now about 4,000 members in all the provinces and there will be bye-elections. Surely, every month there will be two or three elections— some will die, some will be promoted to high offices— some will go here and there."*

"In this Constituent Assembly," he said, *"during the short period we have had a number of bye-elections although we had nothing to do with them, but in the places from which they have come there have been a number of elections."*

⁷ <https://sabrangindia.in/constituent-assembly-did-not-envision-one-nation-one-election/>

He, therefore, stated that apart from necessity and fairness, the Election Commission should function to prepare a just electoral roll which often gets vitiated by those who put names in it in connivance with the Executive.

Describing the electoral roll as the principal thing in an election he appealed for establishing an impartial and independent Election Commission to deal with the situation necessitating the organisation of multiple elections.

The Election Commission should function to prepare a just electoral roll which often gets vitiated by those who put names in it in connivance with the Executive.

He did not pay heed to those who flagged that more expenses would be incurred for that purpose and pleaded for an Election Commission empowered to conduct elections with impartiality, fairness and integrity.

Working, Amendment in Constitution & other prevailing laws

The committee recommended two methods to tackle the issues. First of all, it suggested that the Lok Sabha and State Legislative Assemblies be elected at the same time. Second, it suggested timing the Lok Sabha and State Legislative Assemblies' elections with the Municipalities and Panchayat elections, such that the former are held within a hundred days of the latter. The Committee has proposed the insertion of Article 82A to the Constitution to synchronise the terms of the Lok Sabha and State Assemblies. All the State Assemblies which are constituted in general elections held after this Article is brought into effect ("Appointed Date") will come to end along with the expiry of the full term of the Lok Sabha. For example, if the Article is given effect to in June 2024, all the State Assemblies which are formed after this notification will have a term only till 2029. So, if a state election is held in 2027, the Assembly's term will end in 2029 along with the Lok Sabha.⁸

To ease the process, an Implementation Group has been recommended to look into the execution of Committee's recommendations.

Imperatively, as per Article 82A, if the Election Commission opines that the elections to any Legislative Assembly cannot be conducted at the time of the General Election, it may recommend to the President to declare by an Order that the election to that Legislative Assembly may be conducted at a later date.

Further, in the event of a hung house and a no-confidence motion, fresh elections may take place. Notably, the tenure will only be for the unexpired term in such cases. In other words, it will be the remainder of the full term, i.e. for five years. Further, the expiration of this period shall operate as a dissolution of the House.

For example, if a government falls in a no-confidence motion in the second year of the house, then fresh elections can be held. However, the new government will only have the remainder term of three years. Amendments are proposed to Articles 83 and 172 in this regard. Other proposed amendments include the introduction of Article 324A to hold simultaneous elections for local bodies. Now, if the above working is to be followed 17 state assemblies will have less than 3 years in power after their election before 2029 General elections. It is also important to note here that Article 368(2) of the Constitution of India will also come into picture because anything in relation to state will require 50% ratification of state assemblies⁹

While going through different provisions under Constitution of India and other prevalent laws it is evident that altogether 18 amendments are required in existing laws including major in Constitution of India. For constitutional amendment vote of 2/3rd members are required which means that out of 543 seats in Lok Sabha 362 members¹⁰ are required to vote in favour of the constitutional amendment whereas in Rajya Sabha out of total members of 250 2/3rd members are 164 need to vote in favour of the constitutional

⁸ <https://www.livewlaw.in/top-stories/one-nation-one-election-union-cabinet-accepts-recommendations-of-high-level-committee-on-simultaneous-elections-269952>

⁹ <https://indianexpress.com/article/opinion/columns/the-case-for-one-nation-one-election-9216230/>

¹⁰ <https://www.livemint.com/politics/news/one-nation-one-election-how-numbers-stack-up-in-parliament-as-modi-govt-requires-constitutional-amendments-11726715596396.html>

amendment. The below mentioned tabular chart shows the amendment which may be required to give a shape to one nation one election.

Constitution of India (Superintendence, direction and control of elections to be vested in an Election Commission)	Article 324
Constitution of India (Duration of Houses of Parliament)	Article 83
Constitution of India (Sessions of Parliament, prorogation and dissolution)	Article 85
Constitution of India (Duration of State Legislatures)	Article 172
Constitution of India (Sessions of the State Legislature, prorogation and dissolution)	Article 174
Constitution of India (Provisions in case of failure of constitutional machinery in State)	Article 356
NCT Act, 1991 (Duration of Legislative Assembly)	Section 5
UT Act, 1963 (Duration of Legislative Assemblies)	Section 5
J & K Reorganisation Act, 2019 (Duration of Legislative Assembly)	Section 17
R P Act, 1951 (Disqualifications and Electoral Colleges)	Section 141 & 152
R P Act, 1951 (Bye-Elections)	Section 147 to 151A

So, there will be major deletion and addition of provisions in Constitution of India¹¹ and other laws for restructuring and delivering the concept of One Nation One Election.¹²

Conclusion

While the idea of One Nation One Election is commendable, further discussion is necessary to fully understand how it might resolve problems. This concept has been carried out now after the 2024 General Election is finished. Nonetheless, if carried out precisely, it has the potential to revolutionize India's election system and solve the pressing demand for competent administrative staff and strong security measures. The standing committee has called for fewer elections in order to free up time for the government apparatus and the electoral commission to complete other essential administrative duties. Even though a sudden change might not be possible, it is important to consider and look for ways to eventually accept it. The political parties who are in opposition reacts to it in terms of attack on federalism but even if considering the aspect of federalism by no stretch of imagination it weakens or lowers the state government. Every action in today's political arena is frequently seen as a calculated attempt to weaken opponents or win support but it is actually a way forward to accept a new notion for better administration and governance in India.

¹¹ <https://www.livemint.com/news/india/explained-how-will-centre-implement-one-nation-one-election-11726660849419.html>

¹² <https://www.livemint.com/news/india/one-nation-one-election-needs-at-least-5-constitution-amendments-explained-modi-government-lok-sabha-assembly-poll-11726737546737.html>