



Examining One Nation, One Election

This editorial is based on [“The idea of one nation, one election is against federalism”](#) which was published in The Hindu on 23/01/2024. The article discusses the drawbacks associated with the idea of having simultaneous elections for both the Lok Sabha and State Legislative Assemblies, i.e., One Nation One Election - an idea propagated by the Union Government.

For Prelims: [One Nation, One Election](#), [Article 356](#), [Model Code of Conduct \(MCC\)](#), [Law Commission, Federalism](#), [Electronic voting machines \(EVMs\)](#), [Voter-verified paper audit trail \(VVPAT\)](#), [Representation of the People Act 1951](#), [Anti-defection law](#), [No-confidence motions](#)

For Mains: One Nation, One Election: Benefits, Challenges and Way Forward

In September 2023, the Union Government established a 'High Level Committee on [One Nation, One Election](#),' led by former [President](#) Ramnath Kovind. The Committee has engaged with national and State political parties and sought public and jurists' opinions, with potential recommendations anticipated. The proposal raises concerns about its impact on India's democratic structure and federal set up.

What is the Central Idea behind One Nation-One Election (ONOE)?

▪ About:

- The concept talks about a scenario where all State elections will take place simultaneously with the general elections of [Lok Sabha](#), once every five years.
- The idea is to streamline the electoral process and reduce the frequency of elections, thus saving time and resources.

▪ Background:

- The idea has been around since 1983, when the **Election Commission** first mooted it. However, until 1967, simultaneous elections were the norm in India.
 - The first General Elections to the House of People (Lok Sabha) and all [State Legislative Assemblies](#) were held simultaneously in 1951-52.
 - That practice continued in three subsequent General Elections held in the years 1957, 1962 and 1967.
- However, due to the premature dissolution of some Legislative Assemblies in 1968 and 1969, the cycle got disrupted.
 - In 1970, the Lok Sabha was itself dissolved prematurely and fresh elections were held in 1971. Thus, till 1970, only the First, Second and Third Lok Sabha enjoyed full five-year terms.

▪ Simultaneous Elections Elsewhere:

- **In South Africa**, elections to national as well as provincial legislatures are held simultaneously for five years and municipal elections are held two years later.
- **In Sweden**, elections to the national legislature (Riksdag) and provincial legislature/county council (Landsting) and local bodies/municipal Assemblies (Kommunfullmaktige) are held

on a fixed date i.e. second Sunday in September every fourth year.

- **In Britain**, the Fixed-term Parliaments Act, 2011 was passed to provide a sense of stability and predictability to the British Parliament and its tenure.
 - It provided that the first elections would be held on the 7th of May, 2015 and on the first Thursday of May every fifth year thereafter.

What are the Various Benefits of Simultaneous Elections or ONOE?

▪ **Reducing Governance Distractions:**

- Holding frequent elections diverts the entire country's attention, from top leaders to local representatives, causing a virtual paralysis of administration at various levels.
 - This preoccupation negatively impacts India's growth prospects and hinders effective governance.

▪ **Model Code of Conduct's Impact:**

- The [Model Code of Conduct \(MCC\)](#) imposed during elections delays key policy decisions both at the national and local levels.
 - Even ongoing projects face setbacks as election duties take precedence, leading to a slowdown in routine administration.

▪ **Addressing Political Corruption:**

- Frequent elections contribute to political corruption as significant funds need to be raised for each election.
- Simultaneous elections can substantially reduce election expenses for political parties, eliminating the need for repetitive fundraising.
 - It also lessens the pressure on the public and business community for multiple election donations.

▪ **Cost Savings and Electoral Infrastructure:**

- 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 crore.
 - In the 2019 elections, there were 610 political parties and around 9,000 candidates; poll expenses of around Rs. 60,000 crores, as per Association of Democratic Reforms (ADR), are yet to be declared by the political parties.
- While initial infrastructure investments are required, using the same electoral rolls for all elections can save considerable time and money in updating and maintaining voter lists.

▪ **Citizen Convenience:**

- Simultaneous elections alleviate concerns for citizens regarding missing names from electoral rolls.
- Using consistent electoral rolls for all elections streamlines the process, providing citizens with a more straightforward and reliable voting experience.

▪ **Optimizing Law Enforcement Resources:**

- Massive redeployment of police and paramilitary forces during elections incurs significant costs and diverts key law enforcement personnel from critical functions.
- Simultaneous elections can curtail these deployments, optimizing resources and enhancing law enforcement efficiency.

▪ **Curbing Horse-Trading:**

- Fixed-interval elections have the potential to reduce [horse-trading](#) by elected representatives.
- Holding elections at specific periods makes it more challenging for representatives to switch parties or form alliances for personal gains, complementing existing [anti-defection laws](#).

▪ **Financial Stability for State Governments:**

- Frequent elections lead to state governments announcing freebies to woo the electorate, often straining their finances.
- Simultaneous elections could mitigate this issue, reducing the financial burden on state governments and contributing to greater financial stability.

What are the Challenges Associated with ONOE?

▪ **Constitutional Concerns and Mid-Tenure Collapse:**

- [Article 83\(2\) and 172 of the Constitution](#) outline a five-year tenure for Lok Sabha and

State Assemblies unless dissolved earlier.

- The concept of ONOE raises questions about the repercussions if the Central or State government collapses mid-tenure.
 - The dilemma of whether to hold elections in every State or impose [President's Rule](#) complicates the constitutional framework.

▪ **Logistical Challenges in Implementing ONOE:**

- The implementation of ONOE poses significant logistical challenges, including the availability and security of electronic voting machines, personnel, and other resources.
- The EC may encounter difficulties in managing such a massive electoral exercise, adding complexity to the ONOE proposal.

▪ **Federalism Concerns and Law Commission's Findings:**

- ONOE clashes with the concept of [federalism](#), contrary to the idea of India as a "Union of States" specified in [Article 1](#).
 - Simultaneous elections are an attack on the autonomy and independence of state governments. This can not only weaken this federal structure but also increase the conflict of interest between the Centre and states.
 - The terms of state governments vary, and some states are given special provisions under [Article 371](#) of the Constitution.
- The [Law Commission](#), under Justice B. S. Chauhan, reported that simultaneous elections are not feasible within the existing constitutional framework.
 - Amendments to the Constitution, [Representation of the People Act 1951](#), and Rules of Procedure of Lok Sabha and State Assemblies would be required.

▪ **Recurrence of Elections and Democratic Benefits:**

- The current system of recurrent elections is seen as beneficial in a democracy, allowing voters to express their voices more frequently.
- This setup prevents the blending of issues between national and State polls, ensuring greater accountability.
- The distinctive demands and needs of each state are maintained under the present framework.

▪ **Biased Democratic Structure:**

- A 2015 study by the [IDFC Institute](#) highlights a 77% chance that the winning political party or alliance will secure victories in both Lok Sabha and Assembly elections when held simultaneously.
 - If the elections are held six months apart, however, only 61% of the voters choose the same party.

▪ **Cost Implications and Economic Considerations:**

- The costs associated with simultaneous elections, as estimated by the [EC and NITI Aayog](#), reveal conflicting figures. While the synchronization may save costs per voter in the long run, short-term expenses for deploying larger numbers of [electronic voting machines \(EVMs\)](#) and [Voter Verified Paper Audit Trails \(VVPATs\)](#) could increase.
 - Economic research suggests that election spending by parties and candidates, despite potential short-term cost increases, ultimately benefits the economy and government tax revenues.

▪ **Legal Concerns:**

- The introduction of a common election process may violate the Constitution, as highlighted in the [S.R. Bommai case](#), where the Supreme Court emphasized the independent constitutional existence of States.

▪ **Language Bias in Consultation Process:**

- The High-Level Committee's consultation process, evident on its website, raises concerns of bias, exclusion, and inequality.
- The website, intended as an information repository and interaction platform, is available only in English and Hindi, neglecting the diversity of India's 22 official languages.

▪ **Independence of the Election Commission:**

- Questions are raised about the EC's independence, analogous to demonetisation, where the [Reserve Bank of India](#) was kept uninformed.
- The Election Commission appears passive in the High-Level Committee's process, jeopardizing its autonomy to make independent decisions on elections.

What can be the Way Forward?

- **Building Consensus:**
 - Building consensus among political parties and states is crucial for the feasibility of simultaneous elections. This necessitates open dialogues, consultations, and deliberations among diverse stakeholders to address concerns and garner support.
- **Constitutional Amendments:**
 - To enable simultaneous elections, amendments to the Constitution, the Representation of the People Act 1951, and the Rules of Procedure of Lok Sabha and State Assemblies are imperative. This legal framework should accommodate the unique requirements of synchronized polls.
- **Aligning Assembly Terms with Lok Sabha:**
 - A constitutional amendment could involve aligning assembly terms with Lok Sabha elections. As a proposal, any assembly whose term ends within six months before or after Lok Sabha elections could coincide their elections, streamlining the electoral process.
- **Investment in Infrastructure:**
 - The successful implementation of simultaneous elections requires substantial investment in electoral infrastructure and technology. This includes ensuring an adequate supply of EVMs, VVPAT machines, polling booths, and trained security personnel.
- **Legal Framework for Contingencies:**
 - Establishing a legal framework is essential for dealing with contingencies like [no-confidence motions](#), premature assembly dissolution, or hung parliaments. This framework aims to manage unforeseen circumstances arising during the simultaneous election cycle.
- **Awareness and Voter Education:**
 - Creating awareness among voters about the advantages and challenges of simultaneous elections is crucial. Voter education programs must ensure that citizens understand the process, enabling them to exercise their franchise without confusion or inconvenience.

Conclusion

The establishment of the 'High Level Committee', signals a significant deliberation on the synchronization of elections in India. Despite concerns about the potential impact on constitutional and legal principles, the lack of a definite timeline for the committee's recommendations adds an air of uncertainty. Legal concerns, particularly the potential alteration of State Legislature durations, present a constitutional challenge. The looming question of whether One Nation, One Election can be stopped brings the constitutional role of the Indian Supreme Court to the forefront.

Drishti Mains Question:

Discuss the constitutional, legal, and practical implications of 'One Nation, One Election' in the Indian context, evaluating its impact on federalism, governance, and electoral processes.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q1. Consider the following statements: (2020)

1. According to the Constitution of India a person who is eligible to vote can be made a minister in a State for six months even if he/she is not a member of the Legislature of that State.
2. According to the Representation of People Act, 1951, a person convicted of a criminal offense and sentenced to imprisonment for five years is permanently disqualified from contesting an election even after his release from prison.

Which of the statements given above is/are correct?

(a) 1 only

- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Answer: (d)

Q2. Consider the following statements: (2017)

1. The Election Commission of India is a five-member body.
2. The Union Ministry of Home Affairs decides the election schedule for the conduct of both general elections and bye-elections.
3. Election Commission resolves the disputes relating to splits/mergers of recognised political parties.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 3 only

Answer: (d)

Mains

Q.1 'Simultaneous election to the Lok Sabha and the State Assemblies will limit the amount of time and money spent in electioneering but it will reduce the government's accountability to the people' Discuss. **(2017)**

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