
ANALYSIS OF THE CONCEPT OF ONE NATION, ONE ELECTION IN INDIA'S POLITICAL SYSTEM

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ABSTRACT

As it has been in the news for a while, the union government formed a committee to examine the idea of "One Nation, One Election" in respect of India. This proposal raises a lot of questions, particularly about what effect it will have on federalism. While India is not a fully federal country, there are many characteristics that make it so, and the subject is hotly debated. I will do my best to examine the advantages and disadvantages of this plan in this paper, since many states do not support it and believe it will weaken the principles of the election system that has been in place since our independence.

Another question regarding the implementation of this idea is that what constitutional adjustments we need to make and if the state would also need to ratify it. This paper will also analyse how this idea will lower the cost of holding elections at different levels, with the money saved being used for welfare initiatives. It will also analyse how having one country, one election system will decrease government accountability, increase the likelihood of corruption and maladministration, and undermine democracy as no one party can hold power at all levels of government for an extended period of time. The abstract highlighted the main conclusion of the entire research while the report offers a thorough, evidence-based assessment of the anticipated advantages, costs, and drawbacks; it also highlights the numerous factors involved in evaluating this significant election reform proposal.

Keywords: Federalism, Governance, Constitution, Amendments, Government, Accountability, Democracy.

Introduction

Background of Indian Election system

India is the largest democracy in the world, with approximately 94.50 crore voters¹. The country's constitution explicitly mentions elections, which are typically held for the Rajya Sabha (upper house) and Lok Sabha (lower house), as well as for all state legislative assemblies and local bodies like panchayats and municipalities. Additionally, the election system is essentially based on the federal system because, as everyone knows, the Indian Constitution incorporated the UK Constitution's parliamentary system of government. Election Commission of India (ECI) is the primary body responsible for conducting elections at all levels. It is mentioned in Article 324 of the Indian Constitution and is in charge of all state legislative assemblies and Lok Sabha and Rajya Sabha elections.

The ECI has grown over the years into a well-respected, independent organization that supports the legitimacy and integrity of the electoral process. India's first post-independence election took place for the Lok Sabha in 1951–1952. The Lok Sabha is subject to elections every five years unless the President dissolves it. In contrast, the Rajya Sabha is not subject to dissolution but has its two thirds members removed every two years². Over 67% of voters participated in the most recent Lok Sabha election³, which took place in 2019. This was a significant turnout. However, the state assembly elections are frequently held out of sync with the five-year cycle, leading to numerous elections. Because state elections are held at different times, there is an illusion that some parts of India are always in election mode. These elections' multiphase format also results in considerable expenses and disruptions to governance. For example the recently conducted election in 2019 was held in 7 phase and the election for state at the other hand was conducted in 1 to 5 phase hardly and to ensure a peaceful election process, hundreds of election officers and security personnel were stationed throughout the nation, which actually harmed that financial system of the country.

Enforcing the Model Code of Conduct during protracted election cycles makes it more difficult for incumbent state and federal governments to develop and implement welfare programs, infrastructure projects, and other policy decisions. The government has established a number

¹ Editorial “Indian has Over 94.50 Crore Voters as on Jan 1m” The Economic Times, 1 Jan 2023.

² Dr. J.N. Pandey, Indian Constitutional Law 510(Central Law Agency 52th edn,2015)

³ Editorial “2019 Poll Records Highest ever Turnout of 67.47%” The Hindu 26 May 2019

of committees over the years to investigate what changes to the electoral process are necessary to increase transparency.

Concept of One Nation, One Election

The concept of "One Nation, One Election" centre around holding state assembly and Lok Sabha elections at the same time every five years. In order to do this, the Indian election cycle will need to be reorganized so that local and national elections coincide. The concept of holding simultaneous elections for all authorities was not new in India; elections for all authorities were held in 1951–1952, 1957, 1962, and 1967. However, political events broke the cycle, resulting in Kerala's and Odisha's midterm elections in 1960 and 1961, respectively. Following this, there were a number of disturbances brought on in part by a vague mandate, the fall of a government in the middle of its term, and the repeated application of Articles 356 and 352, which prolonged the elections.⁴

The reason the simultaneous election always disrupted is because there have been several instance of the legislative assembly and Lok sabha being dissolved. And there are numerous nations around the world that still adhere to the idea of having a single election for the entire nation, such as Brazil, Colombia, the Philippines, and so forth. These nations all follow the presendital form of elections, which holds simultaneous elections for the president's office and all other government positions in a one way. However, in certain nations, such as Sweden and South Africa, both the national and local elections are conducted at the same time. For the first time, simultaneous elections were held recently in Indonesia, the third-largest democracy after the US and India. The world's experiences have also prompted India to advocate for holding elections at the same time. As it is well known, that there has been long call for electoral changes, and the Election Commission of India was the first to propose a simultaneous election procedure in 1983. Additionally, the Law Commission of India made reference to the simultaneous election procedure in its 170th report, which was submitted for election changes under the headship of Justice B.P. Jeevan Reddy in 1999⁵ as election reforms of 2013. However, the idea was accepted since, at the time, it was not feasible to implement on a grassroots level. However, the NDA government now again suggests implementing simultaneous elections for all levels of government following a protracted tenyear period that ended with the 2014

⁴ Arunav Chetia, "One Nation One Election: What It could mean for India" Social And Political Research Foundation

⁵ Editorial "One Nation One Election: Better for Voters, Better for Citizens" The Indian Express, 5 Sept 2023

election. Parliamentary standing committee on personnel, public grievances in 2015 Law and Justice proposed and investigated the viability of simultaneous elections as a means of promoting long-term good governance in its 79th Report. In 2019, upon regaining office, Prime Minister Narendra Modi convened a meeting to deliberate on this matter and initiate prompt action, therefore advancing the fulfilment of a significant electoral pledge made by the BJP.

What are the Constitutional Provisions?

The current version of our constitution states in article 83(2) that the Lok Sabha would continue to exist for a maximum of five years, or until the President dissolves it. Article 172(1), on the other hand, refers to the state legislature. Thus, it is evident that in order for the government to have simultaneous elections, it will either need to shorten or lengthen the state assembly's term, which is not mentioned in the text at all in normal situations. Article 85(2)b of the constitution mention about the dissolution power of the president when it seems to the president that there is requirement to dissolved the Lok Sabha the president can do so and the same provision to dissolve the state legislature is mention under article 174(2)b which gives the power to the governor so here it is clear that it is not possible for the government to conduct simultaneous election. And if the government actually want to implement this there needs to be huge amendments. The Indian political system is undergoing a critical period that involves maintaining the stability of the ministerial chair and establishing a fixed five-year election cycle. While these measures prevent frequent elections and massive expense, they cannot be the only cause for concern.⁶

What are the Advantages of One Nation, One Election?

(1) Reducing Government Expenditure

India's regular election cycle places a significant financial strain on election management expenses. It is noteworthy that the Bhartiya Janta Party spent half of the about 55,000 crore that was spent on the 2019 election, making it the greatest amount ever in the Indian political system.⁷ Depending on the size of the state, the ECI may have to spend anywhere from ₹300 to ₹1000 crore to hold state assembly elections. It is anticipated that holding elections

⁶ Prof. Chidananda Reddy S. Patil, "One Nation One Election" Centre for Research in Democracy and Constitutional Government <https://kslu.karnataka.gov.in/s>

⁷ Editorial "India's Election Becomes the world's most Expensive Election" NDTV Profit 4 June

simultaneously will save a substantial amount of money by lowering the on-going costs associated with planning and managing the elections. Organizing state and federal elections concurrently reduces expenses associated with duplication and boosts overall effectiveness.

- Reduction in the amenities and layout of voting places. Currently, different preparations are needed for elections to the assembly and parliament, which are scheduled several months apart. Synchronization allows for the full utilization of current infrastructure.
- This will also decrease the number of EVM machines we need to set up at every one-year interval for different elections that are available, and if they are all set up simultaneously, it will be a highly efficient and simple process
- savings by minimizing unnecessary tasks in the preparation, printing, and delivery of election materials such as voter slips, ID cards, ballot papers, and result sheets
- Minimal spending on the transportation of poll workers and security staff to outlying areas throughout closely spaced election periods.

Numerous organizations have noted that holding elections for the Lok Sabha and state assemblies at the same time will save between Rs. 7500 and Rs. 12000 crore, which is essentially a huge number⁸.

In conclusion, there are definite advantages to coordinating India's election cycles, including large cost savings and better use of labour and administrative resources. One effect worth considering is lowering the on-going high cost of election management logistics.

(2) Diminished Effect on Administrative and Governance System

India's regular election cycle is frequently mentioned as a major element influencing the effectiveness of government and the continuity of policies. It is against the code of conduct for incumbent governments to announce strategies or make significant policy decisions that could influence voters during an election. Additionally, the government is under pressure to be in the campaign for the long time as a result, there is high chance that the reforms necessary for

⁸ Editorial "A Potential Rs 12000 Crore Saving Opportunity" The Economic Times, 12 Feb 2024

improved administration will be scaled back. And this is clear that if there will be election for both the centre and state in a one way it will minimize the Burdon on the government and all the other authorities required for conducting the smooth election without any disruption. One important advantage that has been emphasized is that holding elections at the same time will allow for prolonged periods of focused governance free from electoral influences. But at the other hand in the present time state or national elections are held in several parts of India after every few months. And if there is a enforcement of code of conduct at this period impairs governance since it prevents incumbent governance from announcing policies, introducing significant initiatives, or making important choices. For example, plans to implement the Ayushman Bharat and Swach Bharat Abhiyan projects had to be postponed due to the 2014–2019 election. Other social programs were also postponed as a result of the MCC (Mode of Conduct). Disruptions to the government will be greatly decreased if simultaneous polls are used to avoid frequent election schedules. In conclusion, synchronized elections can improve governance by preventing interruptions, preserving policy coherence, and allowing administrations to concentrate on long-term goals as opposed to pressing electoral demands⁹.

(3) Lessen the Workload for Security Personnel and Administrative Infrastructure

There is a substantial amount of evidence that, in the wake of the high likelihood of violence during the 2019 Lok Sabha election, approximately 41,000 central forces were only used to conduct the six-phased election in West Bengal.¹⁰ And around 3 lakh paramilitary staff and around 20 lakh state police were deployed overall in India for conducting the election in 7 phases according to the sources available which is actually a very big number in general.¹¹ Accommodations for deployed soldiers, logistics, transportation, and allowances all result in significant security expenditures. Unlike separate Lok Sabha and Vidhan Sabha votes spaced months apart, security mobilization is needed only once during the election cycle when there are simultaneous polls. Significant savings would result from avoiding duplication in transportation, temporary housing, and security force supplies.

⁹ Dr. A. Shaji George “One Nation, One Election: An Analysis of the pros and cons of implementing Simultaneous Elections in India” ISSN: 2585-5602 (PUIRJ)

¹⁰ Editorial “41,000 central forces personnel were to be deployed in West Bengal” The Hindu Business Line, 17 April 2019

¹¹ Editorial “3 Lakh Paramilitary and 20 Lakh State Police Personnel for 7 Phases Election” NDTV, 20 May 2019

In conclusion, by taking advantage of economies of scale, synchronizing India's election schedule will greatly optimize security force utilization and expenditure. While constituency specific security requirements must be satisfied, coordinated elections have the potential to save security expenditures by thousands of crores by employing and training staff more effectively. This must be balanced with the dangers of using excessive security resources while conducting a simultaneous poll.

(4) Will Increase the turnout of voters

According to the Law Commission report it was observed by the Law Commission that simultaneous elections will help in increasing the voters in the upcoming elections. One of the more argument which was made in favour of the simultaneous state and national election was that it will lessen voter weariness brought on by regular elections.

Every five year. India has several state assembly elections in addition to the lok sabha election. As a result elections are held in some parts of India virtually every few months. There is very little time between general election, panchayat polls, and municipal election for voters in a given state. Ultimately, we may conclude that concurrent elections are the most productive in nature and that we can make better use of that time for all welfare related activities.

What are the Disadvantages of this Concept

1. It has been noted that holding simultaneous elections at the state and federal levels causes problems for all voters because, while national parties typically campaign on national issues, regional parties typically do so on very local ones, such as those pertaining to roads, schools, and other infrastructure.
2. Another problem with simultaneous elections is that national parties are well-funded and experienced in winning strategies, whereas regional parties are less well-funded and less experienced in running campaigns. So it will create an issue for all the regional parties and it will be very difficult for them to accept it. I we see currently there are 8 national parties all over in India in which BJP party is at the top among all the parties.¹²

¹² Election Commission of India, <https://old.eci.gov.in/files/category/261-recognized-national-partie>

3. As of right now, it has been reported in the press that regional parties are calling for elections in some states to be conducted on the basis of ballot papers. However, if there are simultaneous elections, it will be extremely difficult to announce the results on time, which will provide a challenge for all the parties.
4. Additionally, because India is a union of states and the central government provides significant funding to the governments of the same party in the states, IDFC estimates that there is a 77% chance that an Indian voter will vote for the same party in both the state and the federal elections when they are held simultaneously. It will be against of democracy if there is a single party at both the state and national levels.
5. In order to execute "One Nation, One Election," constitutional adjustments must be made, and state assemblies must then take it up. In order to hold elections for both the Lok Sabha and state assemblies within a certain amount of time, the terms of these bodies must be synchronized and shortened.

The Effect of One Nation, One Election on Federalism

What exactly do we mean by the word federalism it means that all the powers are divided at every level of government and when we talk about this in India's context India is a federal country where all the powers are divided between all the governments at different levels And this becomes more strong after the 73th and 74th constitutional amendment but when we discussed about the implementation of One Nation One Election somehow it will affect the federal features of the Indian Constitution because this will diminish the value of the state government and all the regional political parties. Although this is accepted that India is not fully Federal country but still there are many feature which makes India as a federal country as there is distribution of powers equally among all the governments at every levels as mention under article 245 to 256 of the Indian Constitution. There are also some situations in which central government become more powerful over the state government in that condition Indian Federal become Quasi Federal. But if the simultaneous election will be conducted there will be no relevancy of federal constitution in which all the powers will be left to the only single government and will become power dominant.

What are The Challenges¹³?

1. There are political and legal challenges in getting several political parties, especially regional ones, to agree to hold simultaneous elections. Convincing all the political actors to agree on the required legislative changes would be a tedious task.
2. Changes to "anti-defection" rules, which were enacted to implement the 52nd amendment of the Indian constitution in 1985, may be necessary in the event of simultaneous elections in order to prevent lawmakers from switching parties in reaction to election cycles. The ninth schedule was subsequently added to the constitution.
3. Elections held simultaneously will have an effect on the judiciary as well because there will be a significant volume of cases at all levels of government during that time.
4. Coordinating the tenure of several levels of government to align with the election cycle is challenging from a legal standpoint. For instance, the tenure of state governments varies, and eleven states are granted special status under Article 371 of the Constitution. State governments in India have a good deal of autonomy and are able to oppose policies that would take away from their power. As a result, enforcing ONOE would be an attack on state sovereignty. Their ability to operate independently, as promised by the constitution, might be affected.
5. Several legal challenges arise when implementing ONOE in India because of the nation's intricate political and constitutional structure. It will be necessary to make significant changes to the Indian Constitution, including rewriting key provisions pertaining to the terms of office of elected entities like the Lok Sabha, state assemblies, and municipal bodies. At least five Articles of the Constitution—83, 85, 172, 174, and 356—as well as a number of statutes would need to be changed before such a proposal could be approved.
6. There are others who argue that scheduling elections simultaneously helps avoid voter fatigue. Others caution that because voters must select representatives at multiple levels of government simultaneously, they run the risk of being overloaded with information.

¹³ Pratyush Prabhakar —Constitutional Aspects and Challenges for Implementing One Nation, One Election“ Vol 4 No 10 ISSN 2582-7421 —International Journal of Research Publication and Reviews,

Every voter has different priorities, which influence their choices for national, state, and local elections. Elections held at the same time increase the likelihood that national issues may eclipse local ones. Voters' capacity to make decisions during the candidate selection process may be negatively impacted by uncertainty or overwhelm.

Concern for the idea of a free and fair electoral process

Simultaneous election will involve the process of election in which the voters will cast his or her vote for the Lok Sabha and state assembly at the same time on a same day.¹⁴ And just because of this process of election the voter behaviour will get impact. There was a report which was released and according to that report it came out that there are 77% chance that voter will cast their vote in favour of same party at both the level.¹⁵ And this lead to the national party winning all the elections at national and state level and on the other hand the regional local parties will be left no other options and no local and small social issues will come in focus they all will be shaded behind the wall. But as we all know for the fresh and better political system there needs to be a diversity of thoughts among all the political parties and each should be getting the respect and relevance in political system otherwise this simultaneous election will destroy the free and fair election system of this country. And there is one more thing is that this election system can destroy the basic features of the constitution.

Conclusion

We must acknowledge that changing any system will not be simple, and that the majority of people will always be opposed to the decision. If we look back in time, we can see that changing the electoral systems in democracies was also a difficult undertaking at the time.

The formation of the "High Level Committee" indicates a serious discussion about timing India's elections. A definitive deadline for the committee's recommendations would alleviate some of the confusion around the suggestions, notwithstanding worries about possible effects on legal and constitutional principles. Legal issues, in particular the possible modification of the terms of State Legislatures, pose a constitutional risk. The constitutional role of the Indian

¹⁴ Bibek Debroy and Kishore Desai —Analysis of Simultaneous Election“ (NITI Aayog 2017)

¹⁵ Praveen Chakravarty (IDFC Institute) —Nudging the Voter in One Direction“ The Hindu 8 September 2016.

Supreme Court is brought to the fore by the impending question of whether One Nation, One Election can be blocked.

One of the difficulties facing the government is implementing the constitution with the updating of the foundation and election system at different levels, including village, district, state, and central. The fundamental structure of the constitution is believed to remain unchanged despite amendments at any level. Developing a workable system to lower the expense of centralizing elections is another difficulty because it could lead to disarray later on in reaction to modifications to the fundamental we can safely state that "One Nation, One Election" is not required, but rather an outright assault on our nation's democratic and Federalist Ideals. As such, it will remain a matter of discussion and debate in webinars for the foreseeable future.

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