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A SOLUTION OR CHANGE: ONE NATION ONE ELECTION

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“By voting, we add our voice to the chorus that forms opinions and the basis for actions.”

Jens Stoltenberg

As per the report submitted by the election commission, in democratic polity, election is held at regular interval to choose legislators/rulers for a fixed tenure. In our country the task of holding free and fair election at regular interval is assigned to Election Commission of India (ECI) and State Election Commissions under Articles 324 and 243K of the Constitution, respectively. While the election to either Houses of Union Parliament and House or either Houses of State Legislature inter-alia is the main responsibility of the ECI, the election to local bodies (Panchayati Raj Institutions, Corporations/Municipalities, etc.) is vested with State Election Commission of the concerned State. Having regular election in a country of sub-continental dimensions and immense cultural diversities, by the ECI in free and fair manner is a daunting task, which that body has been discharging without avoidable delay. The ECI has introduced several measures to ensure free and fair elections viz introduction of Elector Photo Identity Card (EPIC), periodic revision of

Electoral Rolls, tamper proof Electronic Voting Machines (EVMs), Voter-Verified Paper Audit Trail (VVPAT), multi-phase polls, etc. The idea of "One Nation, One Election" calls for holding simultaneous elections for the Lok Sabha and state assemblies once every five years. At the moment, there are five to seven elections to state assemblies annually, which negatively affects development and governance processes. Additionally, the absence of a legislative calendar and ongoing elections lead to discrepancies in parliamentary proceedings. In this research paper, the researcher examines the benefits of holding simultaneous elections across the nation, as well as drawbacks and potential issues. Lastly, the brief recommends a potential election arrangement that could lower the number of current elections in the country in the near future, thereby reducing the regular disruptions in the legislative process.

1. INTRODUCTION

The largest democracy in the world, with more than 900 million eligible voters, is India. While elections are often used in democratic systems, they are also frequently used in systems that do not adhere to democratic values. However, because of their distinct functional location, they fulfil various functions. In democratic regimes, the offered material aims to outline the most significant roles that elections play. The separation of seven fundamental functions, which are present in all elections, has been made possible by the adopted model of generalization. These functions include: delegating political representation; selecting the political elite; legitimizing those in power; controlling authority; establishing political accountability; developing political programs; and reshaping public opinion.

India being one of the biggest democracies lives on elections. Elections are held nationwide for state legislative assemblies, local governments, the Lok Sabha (lower house of parliament), and the Rajya Sabha (upper house). The Constitution of India, which establishes a federal structure with a distinct division of powers between the federal and state governments, is the cornerstone of the country's electoral system. The Election

Commission of India (ECI), a permanent, independent entity, is empowered by the Constitution to hold free and fair elections. All elections at the federal, state, and local levels are under the supervision, guidance, and control of the ECI. It oversees political parties and election funding in a regulatory capacity. The ECI has become known over the years as a. For several years, there has been much discussion about how frequent elections affect government and policymaking. A proposal to change the electoral process has also been put up.

2. ELECTION AND ITS TYPES

Our Republic's founders believed that representative parliamentary democracy was the best form of government for India's culture, history, and requirements. They envisioned all adult individuals taking part in the political process equally, without any kind of prejudice. They considered it an act of faith to choose representatives of the people through free and fair elections and universal adult suffrage. The daring and ambitious political experiment known as universal adult suffrage served as a testament to the founders' unwavering trust in the wisdom and vast majority of the nation.

Being the biggest democracy in the world India follows two approaches to election that is the direct and indirect election. Direct elections for the Lok Sabha and legislative assemblies and indirect elections for permanent houses both at the center (Rajya Sabha) and state level (legislative council). The Election Commission is entrusted by the Indian Constitution with oversight, direction, and control over the entire process of conducting elections for the offices of President and Vice-President of India, as well as for each State's legislature and parliament. Local elections in cities and villages are managed by state governments through local commissioners.

In order to accomplish these goals, all adult citizens who are at least eighteen years old are granted the right to vote in the Lok Sabha and State Assemblies elections under Article 326 of the Constitution. Article 324 gives an independent Election Commission oversight, guidance, and authority over the creation

of electoral registers and election administration. Elections to local entities, such as municipalities and panchayats, are the responsibility of State Election Commissions under sections 243K and 243ZA.

It is reasonable for the Election Commission to be proud of having carried out the aforementioned election process to the satisfaction of all parties involved, candidates, and voters alike.

3. INDIAN POLICY REGARDING ONE ELECTION

Election conduction is an enormous task. A general Lok Sabha election is a massive undertaking. General elections in India have been compared to those in the US, Canada, Australia, and Europe combined. India has more than 600 million voters, according to statistics (60 crores). There are over 900,000 (9 lakhs) voting places spread out across the nation. About five million election workers and two million more security guards must be mobilized to staff these voting places. When state and municipal elections are taken into consideration, the numbers become even more startling. India is unusual in that it has up to 3.2 million (32 lakh) directly elected representatives of the people dispersed throughout several levels of government today.

In the nation, simultaneous elections are not a novel concept. General elections for the state assemblies and the Parliament were conducted concurrently in 1951–1952, 1957, 1962, and 1967. However, political unrest broke the cycle, resulting in Kerala and Odisha holding midterm elections in 1961 and 1960, in that order (Panda 2016). This was followed by a number of interruptions brought on in part by a vague mandate, the fall of a government in the middle of its term, and the frequent application of Articles 356 and 352, which postponed the elections. Numerous State Assemblies and Lok Sabhas have been prematurely dissolved over the years.

Election administration expenses are a significant financial burden in India due to the country's periodic election cycle. In India, there are around 900 million eligible voters, more than a million polling places, and many election rounds. It is a massive logistical task to deploy poll workers, security personnel, voting

machines, and election supplies throughout the huge territory of India. The Law Commission of India has a few drawbacks to this complex election process in India. Such as:

1. As election expenses rise, corruption, criminalisation, and the creation of black money in many forms are all consequences, including unethical, unlawful, and even mafia-provided electoral finance.
2. All directly elected representatives, from the lowest Panchayat level to the Lok Sabha level, have the same constituents and electors, which leads to conflicting role expectations and perceptions. For example, constituents expect even Union Parliament members to address their purely local issues.
3. Since the electorate has no say in choosing candidates and the majority of candidates are chosen by a minority of votes under the first-past-the-post system, the representatives' legitimacy as representatives is severely undermined and their representative character is called into question.

With time few attempts were made to tackle the problems and from time to time few commissions are framed to maintain transparency and fairness in elections. The issue of making significant adjustments to the election laws and Since the first general election, electoral procedures have been the focus of interest at many levels. The latest formal initiatives in this area have been:

- (1) The Electoral Reforms Committee of Goswami (1990)
- (2) Indrajit Gupta Committee on Election Funding by the State (1998)
- (3) The 1999 Law Commission report on Electoral Law Reform.
- (4) The Election Commission's feedback on the three aforementioned recommendations as well as its own suggestions derived from operational experience.

Other reform proposals that the Commission deemed unnecessary or impracticable included (i) recall, (ii) multi-member constituencies, (iii) negative voting, (iv) proportional representation, (v) list systems, (vi) the president's rule in the

states during elections, (vii) limiting all political positions to two terms, (viii) requiring literacy qualifications for legislators, (ix) direct election of the chief ministers in the states, etc. Although some extensive changes to the election procedures were required, the Commission concluded that no significant constitutional revision was required. Ordinary legislation amending the current laws might accomplish the required corrections, although in many situations, presidential action and subordinate legislation would suffice.

The notion of coordinating and harmonizing the dates of elections throughout the nation of India has been the subject of intense discussion in recent years. Known as 'One Nation One Election,' this idea aims to arrange the electoral calendar in such a way that Lok Sabha, State Assemblies, and local government elections take place concurrently or coincide in a prearranged cycle. Recently, the Law Commission of India published a draft report in which it assessed different approaches to accomplishing "One Nation, One Election." The Prime Minister of India recently spoke via videoconference at the 80th All India Presiding Officers Conference's final session in Kevadiya, Gujarat, on Constitution Day (November 26).

He made a strong case for "One Nation, One Election," a single voter list for all elections, and encouraged the presiding officers to make statute books easier to read and make it simpler to eliminate unnecessary legislation.

The most drastic solution would be to change the Constitution so that the Lok Sabha and state assemblies would have set, concurrent five-year tenure. This will require simultaneous elections, but it will also provide challenges with regard to hung assemblies, no-confidence motions, and house dissolution.

4. CRITICAL ANALYSIS OF THE SCHEME

Several countries throughout the world have adopted the practice of holding elections simultaneously in one form or another. But several of those nations, including Brazil, Colombia, the Philippines, and others, have presidential systems of government, meaning that elections are held simultaneously for the legislative

and presidential branches (Laksono and Agustine 2016). On the other hand, the national and provincial elections are held concurrently in a number of nations, including Sweden and South Africa (Law Commission of India 2013). According to Unnamed Author (2019), simultaneous elections were held for the first time lately in Indonesia, the third-largest democracy after the US and India. India is now pushing for simultaneous elections as a result of these international experiences.

The concept of "One Nation, One Election" aims to organize the Indian election cycle so that state assemblies and the Lok Sabha elections can be held simultaneously and within a certain amount of time. A thorough implementation plan for this goal was presented in the 2024 High-Level Committee Report on Simultaneous Elections in India. An important step towards election reform was taken on September 18, 2024, when the Union Cabinet approved its proposals. Proponents contend that such a system might improve policy continuity, lower election-related expenses, and increase administrative efficiency. As India seeks to improve its democratic procedures and streamline government, the idea of "One Nation, One Election" has surfaced as a crucial change that calls for careful consideration and agreement.

4.1 Advantages:

In general, it is observed that ruling politicians postpone making difficult long-term decisions that could ultimately benefit the nation in the long run in order to secure short-term political benefits from a given assembly election. Provide more time to all the stakeholders i.e. political parties, Election Commission of India (ECI), paramilitary forces, and civilians for the preparation of elections once in five years. As per the scheme, it will help:

1. Save public funds while keeping an eye on polling and party spending, among other things. Lessen the workload for security personnel and administrative infrastructure.
2. Make sure the government's programs are implemented on schedule, and make sure the administrative apparatus is working on development projects rather than campaigning.

3. Address the issue of poor governance on the side of the ruling politicians
4. Save public funds and assist in monitoring polling, party, and other costs.
5. Lighten the load on the security personnel and administrative setup.
6. Assure prompt execution of governmental directives and make sure the administrative apparatus is focused on growth rather than electioneering.
7. Resolve the governance issue on the side of the ruling politicians.
8. Give all parties involved extra time to prepare for the once-every-five-year elections, including the Election Commission of India (ECI), paramilitary forces, and citizens.

It is frequently observed that ruling politicians put short-term political benefits from a certain assembly election ahead of hard long-term decisions that might eventually benefit the nation in the long run.

4.2 Challenges:

Despite their advantages, simultaneous polls have drawbacks of their own. According to critics, having elections at the same time drastically reduces the electorate's options (Kumar 2019). National parties would have an advantage over regional or local parties if "national issues" were given more weight than local ones. According to Debroy and Desai (2017), a "national wave in favour of large national parties" would result from simultaneous elections, which would boost larger national parties at the expense of regional parties. The depth and scope of Indian democracy would be compromised, as well as the nation's federal democratic framework.

The viability of holding elections at the same time is the primary objection.

It is challenging to conduct simultaneous elections for the Lok Sabha and State Legislative Assemblies because of the Constitution. The Parliament of India (2015) states that neither the Lok Sabha nor the State Legislative Assemblies may be

prematurely dissolved in order to hold general elections for both bodies at the same time. Changing the terms of numerous state assemblies, either by extending or shortening current tenures, is the only viable choice in such a situation, which is obviously unpleasant. Conducting elections on such a large scale is practically challenging due to a significant operational difficulty that takes into account logistical, security, and personnel resource needs.

The parliamentary system in India adheres to traditions and conventions, making synchronisation a significant issue. The Lower House is the government's final house of business. The administration may fall before the end of its term, in which case an election must be held. Convincing all political parties to support the plan and bring them together is a challenging task. For holding simultaneous elections, the requirements for Electronic Voting Machines (EVMs) and the Voter Verified Paper Audit Trails (VVPATs) will double as the ECI has to provide two sets (one for election to the Legislative Assembly and second for that to the Lok Sabha). There will also be an additional requirement of the polling staff and for better security arrangements.

5. SUGGESTIONS

From 1951–1952 until 1967, India had elections for both the Lok Sabha and the assembly. There are therefore no differences of opinion regarding the idea's sufficiency or effectiveness. Elections for local bodies could potentially be held simultaneously across India. The terms of the state legislative assembly can be increased or decreased in accordance with the Lok Sabha's term structure. But in order to accomplish that, it could be necessary to change Articles 83, 85, 172, 174, and 356 of the constitution. In India, fixing the dates is not feasible because of the Parliamentary form of government so one radical solution is to switch to the Presidential form of Government where the President is not accountable to the House. Synchronising only the elections to the Lok Sabha and the Rajya Sabha.

Only one voter list should be used for Lok Sabha, Vidhan Sabha, and other elections. A common electoral roll will save an

enormous amount of effort and expenditure as the preparation of a separate voters list causes duplication of the effort and the expenditure. Persuading the state governments to tweak their respective laws and adopt the ECI voters list for municipal and panchayat polls. Requires a massive consensus-building exercise. The mature approach calls for the option of states adopting EC's voter list. The EC's voters list has to be made in a way to fit the State Election Commissions' wards which are a tedious task but can be done by the use of technology.

6. CONCLUSION

Even though simultaneous polling has the potential to significantly alter the Indian election system, there are a number of disadvantages to the proposal. In this context, there are a number of important legislation and constitutional modifications that require discussion. Every policy change in this area would also need broad support from all parties involved, including the public and political parties. Furthermore, the issue of long-term viability arises in the event that the coalition government or ruling party loses the majority in state or Lok Sabha elections in between terms. In this case, the Parliamentary Standing Committee's recommendation for a two-cycle election procedure might be more beneficial. Every few months, elections are held in various locations, which makes development work more difficult. Thus, careful consideration and research are necessary to ensure that the model code of behaviour does not negatively affect every few months, development work is completed. Whether or not the nation needs one nation, one poll has to be agreed upon. If nothing else, all political parties ought to work together to facilitate a debate on this matter so that the general public's viewpoint can be heard. India, a democracy that is developed, can then ascertain the debate's conclusion. In conclusion, there is a rational chance to maximise governance attention, resources, and national-state policy synergy when electoral cycles coincide. However, for a smooth national transition to a simultaneous election cycle, issues with India's federal polity, voter responsibility, and diversity must be addressed.

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