



ONE NATION ONE ELECTION: A NEW ELECTORAL REFORM IN INDIA

By Shivani
LLM from Chandigarh University

ABSTRACT

Former Prime Minister Atal Bihari Vajpayee submitted the idea of "one country, one election" to the whole country earlier. An election in a country is a controversial issue, which is why even Prime Minister Narendra Modi called for a national debate on this issue before carrying out such electoral reforms. Frequent elections involve huge expenditures and the use of various other resources, which is why one country should participate in one election. One country, one election is the electoral reform proposed by India. It has been proposed to hold a single election for Lok Sabha and the state legislative assemblies, rather than holding separate elections in succession. Experts say that the idea of Prime Minister Narendra Modi holding simultaneous elections in India may be desirable, but it may not work in a country as vast and diverse as India. This article explores the advantages and challenges faced by implementing the one country, one election policy in a vast country like India.

KEY WORDS: Democracy, Election, Lok Sabha, Legislative Assembly, Election Commission.

INTRODUCTION

India is the largest democracy in the world. In a democratic governance system, elections are the most important and indispensable part of politics. Democracy can only be effective based on the belief that elections are free and fair, rather than manipulative. However, due to some reasons, the democratic system cannot function normally, and ordinary people think that there are problems in the election process.¹

The Election Commission is an institution in India that works uninterrupted throughout the year. Panchayat, district assembly, state assembly, legislative committee, Lok Sabha, Rajya Sabha, president, and vice president all need the supervision of the Indian Election Commission. Enumerating the number of votes, verifying the voter list and the division of constituencies took up almost all of the committee's time. The country has adopted a quasi-federal system in our constitution. India is neither a unified country like the United Kingdom nor a fully federal country like the United States. Members need to be elected for Lok Sabha and the Legislative Assembly. The purity of the election process requires the election committee to be strictly vigilant.²

Recently, on the occasion of Constitution Day (November 26), the Prime Minister of India gave a closing speech at the 80th All India Conference in Kevadiya (Gujarat) through a video conference. He put forward the proposal of "one country, one election",

¹ Jitendra Sahoo, One Nation One Election in India, 4 (SRJIS) (2017), Available at <http://oaji.net/articles/2017/1174-1512211491.pdf>, (Last Visited on 8th April, 2021).

² Is One Nation One Election Possible?, The Hindu (18 December, 2020), Available at

<https://www.thehindubusinessline.com/opinion/columns/is-one-nation-one-election-possible/article33366878.ece>, (Last Visited on 8th April, 2021).



which is the only list of voters in all public opinion polls. He also asked the moderator to simplify the language of the regulations and allow easier procedures to eliminate redundant laws. The idea is about structuring the Indian election cycle in some way so that the elections for Lok Sabha and the state assembly can be held simultaneously so that elections for both can be held within a given time frame.³

The expression "one country" seems to be the cornerstone of the Indian government's new initiatives. Goods and Services Tax (GST) is the concept of "one country, one tax". In the field of education, the construction of the new education policy "one country, one curriculum". Similarly, the concept of "one country, one election" calls for the simultaneous election of Lok Sabha and all national legislatures. In India, simultaneous elections are not a new concept. After the independence and implementation of the constitution, the first elections held in 1952 were held on the same policy of one election at the same time. Elections were held at the same time from 1952 to 1967, after which they were interrupted. This concept came to an end when the fourth Lok Sabha was disbanded earlier. The ideal condition requires an honest and upright person who is enthusiastic about public welfare and wants

to serve the people should be a competency contest and be elected as a representative of the people.⁴

1.1 What is One Nation, One Election?

It refers to the simultaneous holding of elections for Lok Sabha, the state legislative assembly, Panchayats and the urban local institutions every five years.⁵ Elections are held in different places every few months, which hinders development efforts. Currently, in the Indian regime, elections for the state assembly and the Lok Sabha are held separately.⁶

An election in a country will conceive a system in which elections in all states and Lok Sabha elections are held simultaneously, thus saving time and money. This will also involve the reorganization of the Indian election cycle to synchronize state and central elections.⁷

Voters will elect the member of Lok Sabha and state legislators by casting their votes at the same time or in stages throughout the day. The idea of "One Nation, One Election" shows that only one voter list can be used for Lok Sabha, Vidhan Sabha and other elections.⁸

³ PM on One Nation One Election, drishtias, Available at <https://www.drishtias.com/pdf/1606473821-pm-on-one-nation-one-election.pdf>, (Last visited on 8th April, 2021).

⁴ Seema Unkey, Bhavna Pathak & Others, Scope of one Nation one Election: A Feed Forward Study on People's Perception, 7(8) IJSR (August 2018), Available at <https://www.ijsr.net/archive/v7i8/ART2019885.pdf>, (Last Visited on 4th April, 2021).

⁵ One Nation, One Election, Insights IAS (Published on 27th November, 2020), Available at

<https://www.insightsonindia.com/2020/11/27/one-nation-one-election-2/>, (Last visited on 9th April, 2021).

⁶ Tulika Tandon, one Nation, One Election: Requirements, Benefits, Significance and more, Jagran Josh (Published on 30th November, 2020), Available at <https://www.jagranjosh.com/general-knowledge/one-nation-one-election-requirement-benefits-significance-and-more-1606742728-1>, (Last visited on 9th April, 2021).

⁷ Ibid.

⁸ Ibid.



Holding of common election for all will save the government money, but will require states to make some changes to their respective laws. It will also include the use of the voter list of the Indian Election Commission for municipal opinion polls.⁹

1.2 BRIEF HISTORY OF SIMULTANEOUS ELECTION IN INDIA

Simultaneous elections are not a new concept, as the Indian government has already tested it several times. After independence in 1951-52, India began its first elections for the Lok Sabha and the State Assembly at the same time. It was the norm until 1967. But later, due to the dissolution of some legislative assemblies in 1968 and 1969, problems appeared in the electoral system at the same time. In fact, Lok Sabha was dissolved in December 1970. Therefore, since the state legislature and parliamentary elections were held separately.¹⁰

In 1983, the annual report of the Election Commission once again supported the idea of reverting to conducting polls at the same time. The Law Committee also mentioned the same in its 1999 report. In the past ten years, there have been many debates and discussions on this topic. In fact, the Lok Sabha poll in the Bhartiya Janata party manifesto in 2014 recommended simultaneous elections as a system. Prime Minister Narendra Modi once again proposed the idea of bringing this concept back to India and reintroducing it into Indian politics in

2016. Instead, Niti Aayog prepared a working paper on the subject in the subsequent January 2017. In April 2018, another working paper of the Law Commission of India stated that at least "five constitutional recommendations" are necessary in order to reintroduce this system. However, so far, no final decision has been made on holding the elections at the same time.¹¹

1.3 IMPORTANT COMMITTEE ON ELECORAL REFORMS

1. Jaya Prakash Narayan Committee

In 1974, Jaya Prakash Narayan led a committee composed of EPW. Decosta, A.G. Noorani, K.D. Desai, PH. Mavlankar, M. R. Masani and V.M. Tarkunde made recommendations on the electoral process or electoral reforms.

The committee recommended that some standards be changed during the election process. They are as follows:¹²

- a. Change the appointment procedures of general election commissioners;
- b. Establishment of three-member election committees;
- c. The minimum voting age should be 18 years old.
- d. Televisions and radios should be placed under the control of autonomous statutory companies.
- e. The electoral council should consist of as many electoral districts as possible, which contributes to free and fair elections.

⁹ Ibid.

¹⁰ Sankalpita Pal, "One Nation One Election: why? or Why not?", Latest Laws, Available at <https://www.latestlaws.com/articles/one-nation-one-election-why-and-why-not/>, (Last Visited on 10th April, 2021).

¹¹ Ibid.

¹² Mohita Negi, "Major Committee on Electoral reforms and their recommendations in India", your Article Library, Available at <https://www.yourarticlelibrary.com/essay/major-committees-on-electoral-reforms-and-their-recommendations-in-india/24930>, (Last Visited on 10th April, 2021).



2. Goswami committee (1990)

According to Janata Dal's campaign promise, the National Front government announced in Lok Sabha on May 4, 1990. The main recommendations are as follows:¹³

- a. The time limit for the by-election.
- b. Deposits from independent individuals increased.
- c. Check advertisements in new newspapers and strengthen election committees.
- d. A series of legislative measures should be formulated to eliminate the equipment and intimidation of trapping booths.
- e. The committee also called for amendments to the Anti-Defection law to limit disqualification.

3. Jeevan Reddy Committee

Judge Jeevan Reddy has proposed extensive electoral reforms. The following are the key points:¹⁴

- a. The committee advocates a total ban on the division and merger of political parties during the term of the Lok Sabha or Legislative Assembly.
- b. Once a member is elected by the votes of a recognized political party, he shall remain in that party until the House of Representatives is dissolved, or until his membership is terminated due to resignation or other reasons.
- c. The committee recommends an appropriate number of representatives.

4. Indrajit Gupta committee on state funding of elections (1998)

Indrajit Gupta was the chairman of the State Election All-Party Parliamentary Committee. The 8-member committee established by the All-Party General Assembly in May 1998 submitted its report in January 1999 and made the following recommendations:¹⁵

- a. State funds should be in kind, that is, no financial support should be provided to the parties, and part of the financial burden of the parties should be borne by the state first.
- b. The center contributes 6 billion rupees to the state's election corpus fund each year, with each state accounting for the same amount.
- c. In terms of printed materials and facilities, only EC-approved political parties should be provided with state support; electronic media time; vehicles and fuels, etc.
- d. Political parties should compulsorily submit their annual accounts to the income tax department to show their income and expenditures, otherwise the political parties or candidates will give up the support of the state.
- e. The complete account of election expenses shall be filed by the parties to the Election commission.
- f. Each party should deposit 10,000 in the form of a check/money order, and the name of the donor should be disclosed in the accounts.
- g. The government will continue to prohibit donations for political purposes, but whether other companies can donate is up to the parliament to decide.
- h. The Election Committee has put forward a comprehensive set of recommendations on electoral reform and implemented many of the above-mentioned committee's recommendations.

¹³ Ibid.

¹⁴ Electoral Reforms Committee in India, GKToday (Published on 23rd March, 2016), Available at <https://www.gktoday.in/gk/election-reforms->

[committees-in-india/](https://www.gktoday.in/gk/election-reforms-), (Last Visited on 10th April, 2021).

¹⁵ Ibid.



1.4 HOW SIMULANEIOUS ELECTION WILL WORK?

Earlier, two proposals were made regarding the simultaneous holding of elections with the 17th Lok Sabha election. However, so far, neither of these two recommendations have been implemented.¹⁶

In the first proposal, it is recommended to transfer the concurrent polls in a phased manner. Depending on which general election, 12 state parliaments and one federal territory may be held simultaneously in 2019. The reason for this proposal is that other states are still in the middle of their 5-year term.¹⁷

According to the first proposal, the 12 states that will undergo this transition are Andhra Pradesh, Arunachal Pradesh, Orissa, Sikkim, Telangana, Haryana, Jharkhand, Maharashtra, Chhattisgarh, Madhya Pradesh, Mizoram and Rajasthan. Delhi's NCT is also facing a poll in 2019. In order for this system to succeed, many factors must be considered, such as political consensus, extension of the term of office to six months in some states and appropriate amendments to the Constitution in order to support the reintroduction of such a system. The elections for the state legislatures and federal territories of the remaining states will be held simultaneously before the end of 2021. This gradual transformation will help to hold elections at the same time in 2024.¹⁸

The second proposal put forward involves synchronizing the elections in two batches. In the first batch, the elections for 12 state legislative assemblies and 1 federal territory

will be held simultaneously with the 2019 Lok Sabha elections. In the second batch, the remaining elections for the state legislatures will be held concurrently with the elections of a federal government and one union Territory by the end of 2021 (Puducherry).¹⁹

1.5 REPORTS AND DISCUSSION ON SIMULTANEOUS ELECTIONS

ECI has been discussing the idea of simultaneous elections since 1983. Many reports support this, such as the 170th report "Electoral Law Reform" (1999) by the Law Commission of India and the Standing Committee on Personnel, Public Affairs of the Parliament. According to the complaint, the legal and judicial departments recommended in their 79th report to hold elections at the same time to achieve long-term good governance.

1.5.1 First Annual Report of the Election Commission of India, 1983

The report had suggested the following:²⁰

- The report supports the holding of elections at the same time to reduce expenditure and effectively use manpower and human resources.
- Continuous elections will also affect the daily operation of the government. When the entire administrative organization was frozen, the state and the central government created difficulties for ordinary people.
- Separate elections can also lead to duplication of expenditures.
- In its report, the Election Commission recommended that if it is impossible or impossible to legislate for simultaneous

¹⁶ Supra Note 10.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Dignath Raj Sahgal, Simultaneous Election: A Boon to India, iBlog Pleaders, Available at <https://blog.ipleaders.in/simultaneous-elections-boon-india/>, (Last Visited on 10th April, 2021).



elections, a system should be developed in accordance with the convention.

1.5.2 170th Report of the Law Commission of India, Reform of Electoral Laws (1999)

The report emphasized that due to the frequent use of Article 356 of the Constitution, elections after 1967 were disrupted. The Governor's dissolution of the state assembly on the advice of the chief minister of State was an exception, but it became a norm.²¹

1.5.3 Report of the National Commission to Review the Working of the Constitution, 2002 (NCRWC Report)

A NCRWC was appointed to study how the Constitution can best respond to the changing needs of an effective, stable and effective governance system and recommendations for the socio-economic development of modern India within the framework of parliamentary democracy, and put forward the reform proposal does not need to modify the basic structure of the constitution.²²

1.5.4 255th Report of the Law Commission of India "Electoral Reforms", (2015)

The report relates to the Anti - defection law, suggesting that the president or the governor should be given the power to determine non-compliance on the grounds of defecting, and the president or the governor should act on the recommendation of the ECI, not the speaker or chairman.²³

1.5.5 79th Report of Parliamentary Standing Committee, 2015

In its report "On the Feasibility of Simultaneous Elections for the People's Chamber and the National Legislative Assembly", the committee pointed out several reasons for holding simultaneous elections, including the following:²⁴

- The current huge expenditures resulting from a separate election.
- Policy paralysis caused by the implementation of the Model Code of Conduct (MCC) during the election period.
- Impact on basic service delivery.
- Bear the key manpower deployed during the election.
- NITI Aayog's working paper.

1.5.6 Working paper by NITI Aayog

Niti Aygo's working paper entitled "Analysis of Simultaneous Elections: What, Why, and How" emphasizes the importance of simultaneous elections, which focus on the different needs of the country, because national parties will focus on regional issues, and regional parties will Fight for national issues.²⁵

1.6 PROS AND CONS OF SIMULTANEOUS ELECTION

- The election process is not only cumbersome, but also costly. Individual political parties spend a lot of money on campaign activities. If they only need to do it once for the general election and the state election, they can make better use of the money.²⁶

²¹ Tejal Thambore, One Nation, One Election – A way Ahead, Think India, Available at <https://www.thinkindia.org.in/Blogs-detail.php?q=29>, (Last Visited on 10th April, 2021).

²² Simultaneous Elections, Dhristiias, Available at <https://www.drishitias.com/summary-of-important-reports/simultaneous-elections-law-commission-of->

india-draft-report-2018, (Last Visited on 10th April, 2021).

²³ Ibid.

²⁴ Supra Note 20.

²⁵ Ibid.

²⁶ Supra Note 4 at 6.



- The Model Code of Conduct (MCC) is implemented during the election season. MCC is seen as an obstacle to the government service delivery mechanism. Simultaneous elections can reduce this interference.²⁷
- The use of black money to conduct elections is an open secret. During the country's general elections, a huge black man became a white man. Therefore, if elections are held throughout the year, the country's parallel economy is likely to grow.²⁸
- During elections, political convenience takes precedence over public interest. In order to attract voters, political parties accepted the demands of the public without considering the public interest. Simultaneous elections reduce such chances of political parties.²⁹
- Simultaneous elections promote a national perspective on a regional perspective. This is very important for the unity of the country.³⁰
- Because it promotes national views, the simultaneous elections strengthen national political parties. This reduces the mushrooming growth of parties based on narrow voting banking politics.³¹
- The elections held at the same time align the countries with the center. If the election is held at the same time within five years, the elected state government cannot be easily dismissed. This reduces the anomalies caused by Article 356 of the Indian Constitution (President's Provisions), thus strengthening the federal system.³²
- Simultaneous elections held every five years provide stability to the government. It

enables the government to make difficult decisions for the greater public good.³³

1.7 DISADVANTAGES OF SIMULTANEOUS ELECTION

These are the following disadvantages:³⁴

- It has been observed that the elections for the state assembly and Lo Sabha were conducted on different issues. Regional parties target local issues, while national parties target national issues. Therefore, regional political parties may not be able to raise local issues strongly.
- Regional political parties will not be able to compete with national political parties in terms of election spending and election strategies. Parliamentary elections are closely related to local issues and local voters. Therefore, regional political parties will not accept one-off elections.
- Currently, almost all regional political parties require elections by ballots. If the election is conducted in a one-off mode, the results of the election will be announced very late.
- Due to the country's democratic system, a general election seems almost impossible. Suppose that elections are held at the same time, but it is not certain whether all state and central governments will be composed of a majority of people. It is also possible for certain parties to form a coalition government, which may collapse at any time five years ago. Therefore, it is possible to be re-elected nationwide.

²⁷ "Simultaneous Elections – Advantages & Challenges", Neo Stencils, Available at <https://neostencil.com/simultaneous-elections-advantages-and-challenges>, (Last Visited on 13th April, 2021).

²⁸ One Nation One Election – Merits and Demerits, Jagran Josh, Available at <https://www.jagranjosh.com/general-knowledge/one->

[nation-one-election-1561032672-1](#), (Last Visited on 13th April, 2021).

²⁹ Supra Note 27.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Supra Note 28.



1.8 CHALLENGES

Here are some of the following challenges while implementing one nation one election policy.³⁵

- During consultations with the Indian Law Commission, political parties were divided over holding simultaneous elections.
- Simultaneous elections will include arbitrary cuts or extensions of the term of the House of Representatives. It is questionable whether this is legally appropriate.
- Such measures will undermine federalism and representative democracy.
- The core issue is the parliamentary form of government. In this form of government, the government is responsible and can collapse before the term expires.
- Compared with other parts of the country, our parliamentary system is complex, different and difficult.
- A political consensus is needed because it requires constitutional amendments.

1.9 SUGGESTIONS

- In order to synchronize the term of the State Legislative Assembly with the term of the Lok Sabha Assembly, the term of the State Legislative Assembly can be reduced and increased accordingly. However, for this purpose, constitutional amendments to Articles 83, 85, 172, 174, and 356 may be required.
- In India, due to the parliamentary form of government, it is not feasible to set a date, so a fundamental solution is to switch to a presidential form of government, that is, the president is not responsible to the House of Representatives.

- Only Lok Sabha and Rajya Sabha will be elected simultaneously.

1.10 CONCLUSION

In democracies, the public is the most powerful entity. People eagerly hope to carry out electoral reforms and changes under the current circumstances. Simultaneous elections will bring about democratic stability, will reduce corruption, elections and other unnecessary expenditures, will strengthen nationalism, speed up the development process, and so on. At the same time, elections are not bad for a country like India, because it is not a new phenomenon for Indians. The elections of 1952, 1957, 1962 and 1967 were held at the same time. Although people hope to hold elections in India at the same time, they also have some doubts. For example, ethnic issues may cast a shadow on regional and local issues, and ethnic parties may cast a shadow on regional parties, which is more beneficial to the ruling part but not all parties. If the public does not vote for criminals who want to buy votes with money or power, dishonest and corrupt politicians, then everything will work well, and democracy will shine in the dark side of the corrupt and convicted political system so far. Therefore, although the Election commission is working in this direction, unless all political parties and voters are aware of their responsibilities, the Election Commission will not succeed. In order for democracy to survive, it is essential that the most talented people should be chosen as the representatives of the people in order to properly manage the country. This can be done best through higher moral and ethical values, the people who have won the active

³⁵ RSTV: Discussion Today – One Nation One Election, Insight IAS (Published on 30th November, 2020), Available at

<https://www.insightsonindia.com/2020/11/30/rstv-discussion-today-one-nation-one-election/>, (Last Visited on 25th April, 2020).



vote. There should be no politics in holding elections at the same time. If the development of the country requires electoral reform, the country should lead its implementation.

