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A Study on Boon and Bane of One Nation One Election in Indian Political System

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ABSTRACT

This paper studies about the advantages of One Nation One Election in a detailed form. This paper also presents a picture of One Nation One Election system in other democracies and how it differs with India. This paper also studies in detail about the past reports of ECI, Law Commission and Parliamentary Standing Committee in view with Simultaneous election of State Legislatures and Lok Sabha. This paper is necessary at the present scenario to address the advantages and disadvantages of One Nation One Election. There are economical advantages of One Nation One Election on one hand and there is a possibility of an end to multi party system in another hand due to Simultaneous election of State Legislatures and Lok Sabha.

Keywords: One Nation One Election, Economical, State Legislatures, Lok Sabha, Regional parties.

I. INTRODUCTION

“संसविद्युवसे वृषचग्रे विश्वान्यर्य आ । इळस्पदे समिध्यसे स वसून्या भर ॥1॥

संगच्छध्वं संवदध्वं सं वो मनांसि जानताम् । देवा भागं यथा पूर्वे संजानाना उपासते ॥2॥

समानो मन्त्रः समिति समानी समानं मनः सह चित्तमेषाम् । समानं मन्त्रमभिमन्त्रये वः समानेन वो हविषा जुहोमि ॥3॥

समानी व आकृतिः समाना हृदयानि वः । समामस्तु वो मनो यथा वः सुसहासति ॥ 4 ॥”

“We pray for a spirit of unity; may we discuss and resolve all issues amicably, may we reflect on all matters (of state) without rancor, may we distribute all resources (of the state) to all stakeholders equitably, may we accept our share with humility”²

In ancient India democracy was followed as a mechanism to advice the king what is good and what is bad. Though the members were selected based on the king's wisdom they were given

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² Rig Veda – 10/191/2

higher authority over the king. The Gana and Sangha are the two important multitudes in the Buddhist period between 600 BC - 200 AD which were earlier referred to as a committee formed to provide strategy to the king which later turned into the powerhouse that commanded the king. The first election in Independent India was carried out in the year 1951-1952. From then to now India has conducted elections free and fair. The transition of governments was smooth. There was never chaos after the declaration of result. This proves Indian democracy is vibrant and not only vibrant it is also adoptive to the new process which is suitable for improving the transparency and efficacy of election machinery. This paper focuses on the election system controlled by an independent body which is also a constitutional authority. The political class has been clearly divided in two heads one hand its National Democratic Alliance (hereinafter referred as NDA) headed by Bharatiya Janata Party (hereinafter referred as BJP) which supports One Nation One Election whereas on the other hand is I.N.D.I.A led by Indian National Congress (hereinafter referred as INC) is of no clear stand on this issue. From the adoption of the Constitution India had both Central and State Legislative elections regularly together. But times and situations made it a segmental process which resulted in one election either state or states happen in every year. Therefore, it is an important study which focuses on the political implications of one nation one election both good and bad. It is also necessary to study as it is in discussion and also it will impact the important aspect of democracy which is election. In a way it will also affect the voters as they will not be constantly forced to go and stand in line one after another year. One Nation One Election has certain political imaging to it. Though it may seem to a move in the interest of the public, we need to know the political connotations attached to it. The Indian public is well educated and liberal enough to vote as per their preferences.

(A) Background of the study

In India both Parliament's Lower House and State Legislatures have a term of five years. And the idea of 'One Nation, One Election' which also deals with the same by conducting simultaneous elections for the Lok Sabha (Lower House of the Parliament) and the State Legislatures once in every five years. Which will lead to the restructuring of the Indian election system in a manner that the elections in the States Legislature and Lok Sabha synchronize. The present idea of One Nation One Election which will result in simultaneous elections of State Legislatures and Lok Sabha is not new to the country. The general elections (Lok Sabha Elections) of 1951-52, 1957, 1962, and 1967 and the State Legislatures elections were held simultaneously. But, the simultaneous cycle of elections was disrupted by political upheavals

which led to midterm elections for Kerala and Odisha in 1960 and 1961 respectively.³ It was also followed by several disruptions caused partly due to lack of a clear electoral mandate to a particular political party or a failure to formation of a post poll coalition among like minded parties or the mid-term collapse of a government due to political uncertainty of coalition and also by the frequent use of Article 356 and Article 352, which extended the elections. Over the years, several Lok Sabhas and State Legislatures have been prematurely dissolved. As a result, the cycle of simultaneous elections has been disrupted. In 1972 after the dissolution of 4th Lok Sabha the fifth general election was planned but due to dissolution early by Indira Gandhi the election took place in March 1971.⁴

II. SITUATION IN OTHER DEMOCRACIES

United Kingdom - In the United Kingdom from 1997, the local and national elections happen on the same day. It is a known fact that the UK is a Unitary Government however in the past decades assemblies have been established in Scotland, Wales and Northern Ireland. Till 2010 the Conservative Party of UK in its election manifesto never made any mention of fixed-term Parliaments but The Labour Party of UK in its manifesto for 2010 said that it would introduce fixed-term Parliaments, however it did mention how long they would be and the Liberal Democrat in its election manifesto for 2010 included a promise to introduce four-year fixed-term for Parliaments. The election of 2010 results made the UK parliament a hung Parliament, with the Conservatives having 306 Member of Parliaments and the Liberal Democrats 57 Member of Parliaments. The Conservatives and Liberal Democrats negotiated a coalition agreement to form a government, and a commitment to legislate for fixed-term Parliaments was included in the coalition deal. This resulted in the passing of Fixed Term Parliament Act, 2011.

Canada - In 2006 at both federal and provincial levels, Canada enacted legislation to fix four-year terms for their parliaments with elections to be held on the third Monday in October. However, there being no restriction on the dissolution of legislatures prior to the fixed date, the situation today is that all the provinces have their own calendar, and the federal parliament has its own.

Germany - It is the largest federal country of Europe. It has To overcome its pre-WW II history of parliamentary instability, so the Basic Laws of Germany do not allow votes of no-confidence

³ Panda, Baijayant 'Jay', (2016). "One nation, two elections: How to stop parties from always being in campaign mode and get them to govern" Times of India December 21 2016. <https://timesofindia.com/blogs/one-nation-two-elections-how-to-stop-parties-from-always-being-in-campaign-mode-and-get-them-to-govern/>

⁴ Debroy, Bibek, and Kishore Desai, (2017). Analysis of simultaneous elections: The 'What', 'Why' and 'How'. NITI Aayog Discussion Paper. https://niti.gov.in/writereaddata/files/document_publication/Note%20on%20Simultaneous%20Elections.pdf

without naming a successor and its parliamentary system has evolved into one where coalitions are an accepted feature; all this leads to a certain stability.

To have stability in a country there is an important necessity to it is a stable government both at Union and Federal Level. This can only be possible by One Nation One Election.

(A) First Annual Report, 1983 Election Commission of India (hereinafter referred as ECI)

In this report the ECI laid out all important problems some of them are stated which are,

1. Affecting the service of 25 lakhs Government officials for three months each year as an average in conducting elections of State Legislatures and Parliament separately
2. Heavy costs on preparing separate electoral rolls.
3. Due to modal code of conduct the development work in average delayed for 2 months
4. Duplication of expenditures incurred by political parties

For all this problem ECI then in this report recommend a simultaneous election of State Legislatures and Lok Sabha which was rejected by the then central government.

(B) 170th Law Commission Report, 1999

In 1999 the Law Commission, headed by Justice B P Jeevan Reddy, had stated that "The cycle of elections every year, and in the out of season, should be put an end to. We must go back to when the elections to the Lok Sabha and all the Legislative Assemblies were held at once. The rule ought to be: one election once in five years for Lok Sabha and all the Legislative Assemblies." {170th Report, Law Commission of India, 1999.}

(C) 2015 - Parliamentary Standing Committee Report

In 2015 under the Chairperson of the standing committee of parliament Dr EM Sudarsana Natchiappan laid down the following advantages of holding the simultaneous elections of State Legislatures and Lok Sabha. The Committee had noted that holding simultaneous elections would reduce:

- Large expenditure that incurred for the conducting elections separately between States and the Lok Sabha
- It creates a policy paralysis situation which is resulted from the imposition of the Model Code of Conduct during elections
- This system impact on delivery of essential services
- It creates a burden on crucial manpower that is deployed during every election time.

(D) The Draft Report, Law Commission of India, 2018

In 2018, The Law Commission of India released its draft report on conducting simultaneous elections of State Legislatures and Lok Sabha. This draft was released on 30th August, 2018. This report discusses legal and constitutional issues in relation to the simultaneous elections of State Legislatures and Lok Sabha. Justice B S Chauhan was the chairperson of this Law Commission. The draft report stated, "Simultaneous elections of State Legislatures and Lok Sabha cannot be held within the existing provisions of the Constitution. It can be held to Lok Sabha and state Legislative Assemblies only through appropriate amendments to the Constitution of India, 1950, the Representation of the People Act 1951, and the Rules of Procedure of Lok Sabha and State Assemblies." And the Commission had also suggested that at least 50% of the states should ratify the constitutional amendments which provides One Nation One Election.

However, the Commission of view that holding simultaneous elections can save public money, ease the burden on the security forces and administrative structure, ensure prompt implementation of government policies and ensure that the administrative machinery is engaged in development activities rather than electioneering.

(E) 'One Nation One Election' - A Boon

Simultaneous Election of State Legislatures and the Lok Sabha which is termed as 'One Nation One Election' has various benefits attached to it. Majorly an economic benefit which also provides stability to the nation's growth. Following are the Important benefits that can be achieved by having simultaneous election of State Legislatures and Lok Sabha,

1. **It reduces the overall election expenditure** - India has achieved a milestone in 2019 general election which is meant to be the costliest elections ever, anywhere. It is expected that the value of cost involved in conducting the 2019 general election was twice the amount of the 2014 General Election. The estimation of poll expenditure of 2019 General election is a sum of ₹ 55000 to ₹ 60000 crores which includes ₹ 12000 to ₹ 15000 for voters directly, ₹ 20000 to ₹ 25000 for campaign or publicity, ₹ 5000 to ₹ 60000 for logistics, ₹ 10000 to ₹ 12000 for Formal or ECI and ₹ 3000 to ₹ 6000 for Miscellaneous expenses. Thus, to cut such high costs it is necessary for the country's economy to have an idea to implement 'One Nation One Election' is necessary.
2. **Better Time Management of Governments** - The Government of India and the Government of States have to go in for elections due to this instability of conducting elections on a single time frame it has spread across the whole year which result in the

stoppage of Government Developmental functions. Due to irregular period of election the political parties including ministers are always in an election mode which will increase differences among the political class. By conducting election simultaneously the ministers can dedicate both at Central and State level can dedicatedly work for a longer period of time rather than the small intervals when elections do not take place. This also resulted in a delay in carrying out reforms.

3. **Saving of Public Funds** - The important argument for conducting 'One Nation One Election' is that the public funds utilized for elections can be reduced. There 543 Lok Sabha Seats and 4120 Members of Legislative Assemblies are there. For all of them, an election has been scheduled at a single period then it will result in reduction of workforce employed to conduct election. If the present system prevails it will result in a minimum expenditure of ₹ 11 Billion whereas it can significantly reduced if it is carried out simultaneously.
4. **Check on Illegal Money** - This system of simultaneous election of State Legislatures and Lok Sabha will result in an effective overlooking of the political parties by ECI on the issue of usage of black money. In the present scenario the ECI cannot provide an efficient mechanism to stop the usage of black money or Notes for votes scam. Notes for vote cases are rising due to the holding of elections at an irregular interval. This can be solved by conducting 'One Nation One Election'.
5. **Non Disturbance to other Government Machineries** - Conducting election irregularly creates a problem to various government and private institutions such as schools, colleges, universities and the staffs used for the conducting of elections and counting for the same. This can be limited to a single year in every five year intervals by having election limited to one single period for all the State Legislatures and Lok Sabha.
6. **Focus on Governance more rather than on freebies** - The simultaneous election of State Legislatures and the Lok Sabha can bring the government to work more on infrastructure and capital expenditure rather than on freebies. Due to irregular election all parties work on providing freebies as their agenda in manifestos. This can be reduced if there is a 'One Nation One Election'.

Thus, One Nation One Election can be proven to be an important electoral reform if carried out. This can bring out stability to the country's economy and manifest a progressive path to the country's economic conditions and the standard of living.

III. 'ONE NATION ONE ELECTION' - A BANE

Though this is an expected electoral reform which can bring a lot of good things to the picture and it can be placed into a reform important for national interest. However, there are some important demerits to the same reform which also need to be looked into which are as follows,

1. **Blanket on the Local Issues** - Due to the inclusion of Lok Sabha election along with the State Legislatures it will result in fade out to the local issues. This will turn out Indian election to the presidential election which is not the true essence of Indian democracy. Indian Democracy is both Federal and Parliamentary form such that it should not fade out the local issues as we know local issues impact the public more compared to the national and regional issues.
2. **Challenges Regional Parties** - This scheme of 'One Nation One Election' will slow and study lead to the weakening of regional parties. If Central elections takes place with State Legislatures it will give benefits to the national parties and slowly it will lead to the eradication of regional parties and regional politics. India is a federal country and a multi party system unlike the USA.
3. **Counting will be delayed** - Due to simultaneous election of State Legislatures and the Lok Sabha it would be impossible to provide the result for all the constituencies at the same time. Thus, it can impact the transparency of the election and can result in delay in determining the party which is going to form the Government. It also motivates horse trading among the political parties.
4. **Constitutional Challenges** - The Democratic setup presently is utmost impossible for the nation to go for 'One Nation One Election'. To have a simultaneous election of State Legislatures and Lok Sabha there requires an amendment to the Constitution of India, 1950. It is also essential to understand that this Constitutional amendment is not restricted only to parliament as it is going to affect elections it requires a ratification from half of the States.
5. **Increase in Requirements of Huge Machinery** - To conduct such large scale election it is essential to have such large amount of Human power to operate and conduct the election which will be an important problem to the ECI.

Thus, the 'One Nation One Election' has its own demerits which cannot be left behind before there is implementation of the simultaneous elections.

IV. CONCLUSION

‘One Nation One Election’ is a long pending demand for electoral reforms. A democracy is vibrant when the people elect a person of their choice and it should be only in a limited interval. Without such interval it is impossible to judge the works the person who was already elected. Often standing in line to choose will make the general public frustrated and it will increase in skipping elections. One Nation One Election can bring the a large amount of increase in voter's turnout. In view of which we also cannot avoid it's implications on the regional parties and the multi party system in our country.

V. REFERENCES

1. Kumar, Santhosh. (November 24th 2021) One Nation-One Election – Is it a good idea
www.iasexpress.net/simultaneous-elections/#:~:text=One%20Nation%20One%20Election%20-%20Is%20it%20a,crucial%20as%20%20%20one%20nation%20C%20one%20election%20is%20needed.
2. Shivani, ONE NATION-ONE ELECTION: A NEW ELECTORAL REFORM IN INDIA SUPREMO AMICUS ISSN 2456-9704 VOLUME 24 PAGE NO 3
3. Mishra, Kartika. May 4 (2020) Simultaneous Elections- A Boon for India
www.blog.ipleaders.in/simultaneous-elections-boon-india/
4. Desai, Kishore. Simultaneous Elections (One Nation One Election) Brief Note on the “What”, the “Why” and the “How” of Simultaneous Elections. Page No 11. Former OSD – NITI Aayog & Economic Advisory Council to the Prime Minister
5. Raja, Vidya. (May, 28 2018) One Nation, One Election: Are Simultaneous Polls a Good or Bad Idea for India? <https://www.thebetterindia.com/143182/one-nation-one-election-simultaneous-polls-good-or-bad/>
6. Singh, Hemant. (2019). One Nation-One Election: Merits and Demerits. at Last Retrieved on 10-May-2021, from <https://m.jagranjosh.com/general-knowledge/one-nation-one-election-1561032672-1>
7. Pal, Sankalpita. (2020). One Nation-One Election: Why? and why not? at Last Retrieved on 12-May-2021, From <https://www.latestlaws.com/articles/one-nation-one-election-why-and-why-not/>
8. Yadav, Ankita. One Nation-One Election - Essay on One Nation-One Election at Last Retrieved on 12-May-2021, from <https://www.essaybanyan.com/essay/essay-on-one-nation-one-election/>
9. Hegde, Vinayak. 2018 One Nation-One Election: Are Simultaneous Polls a Good or Bad Idea for India? (2018, May 28). The Better India. at Last Retrieved on 12-May-2021, from <https://www.thebetterindia.com/143182/one-nation-one-election-simultaneous-polls-good-or-bad/>
10. Singh, Dr. Vikramjit. Political Dimensions of One-Nation-One-Election Approach © 2018 JETIR August 2018, Volume 5, Issue www.jetir.org (ISSN-2349-5162) <https://www.jetir.org/papers/JETIR1808981.pdf>
