

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES
[ISSN 2581-5369]

Volume 8 | Issue 3
2025

© 2025 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of any suggestions or complaints, kindly contact support@vidhiaagaz.com.

To submit your Manuscript for Publication in the International Journal of Law Management & Humanities, kindly email your Manuscript to submission@ijlmh.com.

One Nation One Election: Discussion on implications on Federalism, Basic Structure and Parliamentary Democracy

DR. SUNIL DEVI KHARB¹

ABSTRACT

The One Nation One Election implies to synchronize Lok Sabha and State Legislative Assembly elections to enhance administrative efficiency, reduce electoral costs and disruptions. The desirability of such an electoral reform is seen undebatable due to the rising costs of conducting elections, administrative disruptions in the wake of deployment of administrative and security personnel before and after elections and the policy inefficacy due to the frequent imposition of Code of Conduct considering the size of country. Apart from pros there are certain cons as well as though majority of political parties are agreeing on this there remains certain questions unanswered related to its implications on India's parliamentary democracy, Basic Structure Doctrine, federalism and voter engagement. The paper based on secondary data is a humble attempt to discuss and analyze the concerns related to federalism, parliamentary democracy, Basic Structure Doctrine and political participation and voter engagement. It further evaluates the constitutional challenges associated with implementing simultaneous election and explores international comparisons. The study argues that while one nation one election may bring stability and efficiency, it risks to undermine parliamentary ethos, federal autonomy, political participation & competition along with key constitutional principles such as Basic Structure Doctrine. The potential challenges and concerns necessitate that Indian state should opt a consultative approach with extensive dialogue with the stakeholders to keep the federal principles enshrined in the constitution intact.

Keywords: *One Nation One Election, Basic Structure Doctrine, Parliamentary democracy, Federalism*

I. INTRODUCTION

Simultaneity of elections implies that elections to all the three levels of government are held in a synchronized and coordinated manner. In other words, a person votes to elect members for all levels of government on a single day. Simultaneity in Indian context is provided to align and coordinate the national and state election cycles. This can be carried out gradually and in a

¹ Author is an Assistant Professor at Political Science, MDU- CPAS, Gurugram, India.

phased manner so that voters in a given constituency cast ballots for the State Assembly and Lok Sabha and for third tier as well on the same day.¹ It is not entirely a new concept, post-independence elections at both the levels have been conducted simultaneously over the period 1951 till 1967 when the cycle of synchronized elections got disrupted.

II. HISTORICAL BACKGROUND: SYNCHRONIZED ELECTORAL CYCLE IN INDIA

From 1952 to 1967, all national and state elections were held simultaneously. However, due to the fact that the Lok Sabha and State Assemblies could be dissolved earlier than the term of office of the elected representatives, subsequently polls became misaligned. Ever since the 1967 elections, states have had unstable coalition governments that fall before completing their term. As a result, midterm elections have been regular since 1971, when the Fourth Lok Sabha was dissolved to hold a midterm election and the trend of simultaneous elections came to an end. It led to instability in 1977–1980, 1989–1990, and 1996–1999 until a federalized coalition structure centered on the Congress and the BJP took shape as a bipolar arrangement. The void emerged due to erosion of Congress was filled by the BJP's absolute majorities in 2014, 2019 and 2024 the National Democratic Alliance's two-thirds majority and the strength of the opposition fell to one third.² Currently four states have the arrangement of simultaneous elections namely Andhra Pradesh, Odisha, Sikkim and Arunachal Pradesh.

III. WHY ARE SIMULTANEOUS ELECTIONS PROPOSED?

- *To limit Electoral Expenditure for the Government and Political Parties:*³
- *To avoid Infrequent imposition of Model Code of Conduct*⁴
- *To save time to ensure the Transparency and Ease of Governance*⁵
- *Nationalization of Local issues for nationwide reach and resonance*⁶
- *Improved voter turnout*
- *Policy focus*

IV. DISCUSSION

A. Implications on Parliamentary Democracy:

One nation one elections seem to be in Incongruence with the westminster model or parliamentary form of government. The Parliamentary system itself is undermined by the very notion of simultaneous elections as simultaneous elections under the parliamentary democracy model are not practicable. A fundamental characteristic of the parliamentary system is that it grants the authority to dissolve the legislature to the executive, which will come to a conclusion

if the constitution is amended to fix the terms of the federal and state legislatures. Article 356 will become the rule rather than the exception with the implementation of simultaneous elections for both the federal and state legislatures.⁷ In other words it is against the spirit of parliamentary model of government.

In the landscape of Indian electoral politics, constructive vote will be difficult to use as it can make the accountability mechanisms ineffective. Fix tenures or term limits of political executive would render the system inflexible and rigid, while failing to achieve its objective of institutional and governance stability. Such apparatus is going to dilute some of the fundamental characteristics of a cabinet government. Parliamentary character of executive will be undermined if it is not answerable to the legislature. The effectiveness of the government will also be compromised if important mechanisms for resolving deadlocks are weakened. Constitutional ethos of parliamentary democracy and federalism, which are part of the basic structure of the Indian constitution and its democratic polity would be at stake if a provision to impose executive rule in order to synchronize electoral cycles is adopted.

Further, it would go against the spirit of federalism and the vision of our constitutional forefathers. Furthermore, it needs to be considered that countries like Sweden, South Africa, Belgium that hold simultaneous elections have the unitary form of government with the proportional system of representation. None of the world's nations as large and diverse as India has been able to consistently hold concurrent elections for state and federal legislatures.

B. Implications for Federalism

India follows a quasi-federal system as described by **K.C. Wheare (1963)**. The Constitution provides for a federal structure with a strong Centre, but it also ensures the autonomy of states through schedule seven and decentralized governance. The **Supreme Court in *S.R. Bommai v. Union of India (1994)*** reinforced federalism as a basic feature of the Constitution, limiting arbitrary central intervention in state matters. Implementation of ONOE would go against the spirit of federalism and the vision of our constitutional forefathers who envisioned a balanced federal structure which in the one hand curb the divisive tendencies and ensure the autonomy of states as units of the Union on the other hand. Furthermore, it needs to be considered that countries following simultaneous elections have the unitary form of government with the proportional system of representation. None of the world's nations as large and diverse as India has been able to consistently hold concurrent elections for state and federal legislatures.

Implications on Party System: The growth of regional parties was seen by scholars as the expression of democratization and federalization of Indian polity. The regional interests were

aggregated by the regional parties in different states. Synchronized polls may influence the performance of local political players, potentially leading to a decrease in their share of seats in both the state and central level. The division of national and state electoral polls post-1967 has contributed to a more decentralized federal structure in India. This shift has enabled regional parties to gain prominence at the subnational level and over the period of time in national politics as well. It enhanced the responsiveness of electoral competition to regional issues. There are probabilities that concurrent polls may lead to one party supremacy due to electorates opting for the similar party in both the elections. It is held that regional parties with limited resources could expand their reach to the national level if elections were held at the same time but this could work in favor of larger national parties with more resources and visibility than local players. It could also lead to an increase in the personalization of the electoral process, making the leader more influential than the party.

Implications on State Politics: State elections serve as the "balancing" elections as they allow voters to support different parties at the regional level, serving as a counterweight to the parties in power at the centre.⁸ These dynamics changes when regional and national elections are held at the same time. In such cases, regional elections tend to become secondary to national elections, with the outcomes more reflective of national political sentiments and negative the regional concerns at times. National parties and issues dominate the electoral discourse, resulting into overshadowing regional parties and concerns. It may also foster authoritarian tendencies at times by giving undue preference to national parties and their agendas, which are more likely to attract media attention due to their broader, national identity, funding and wider social support base. As the central government strengthens its hold, voters' policy preferences align more closely with national issues and candidates are more likely to espouse national policy positions. This leads to a homogenization of electoral issues across levels of government, diminishing the distinctiveness of local and national party systems and federalization of party system.⁹ Findings from simultaneous polls in 2014, 2019 and 2019 indicate that voters typically select the same party, whether national or regional, for both the levels. In some states, namely Andhra, Odisha, and Sikkim where national parties were small players in the Lok Sabha and Assembly elections gained few to no seats in 2019 and 2014.¹¹

Erosion of State Autonomy: The ONOE proposal directly challenges the principle of federalism enshrined in the Constitution. The emergence of state as the centre of political power was one of the major features of post 1996 electoral politics in India. By implementing a uniform electoral schedule, it undermines the autonomy of State Assemblies, which are

essential for local governance. The state governments should be free to decide their electoral timelines based on regional priorities and contexts.

Centralization of Power: The ONOE initiative reflects a broader trend toward centralization of political power which may amount the dilution of the power of states. A centralized electoral system could prioritize national issues over local concerns, marginalizing regional parties and issues that are crucial for the diverse populace of India. This could lead to a homogenization of political discourse, political centralization, side-lining important regional voices and narratives.

C. Implications on Basic Structure of Indian Constitution:

The "One Nation, One Election" proposal, which aimed at streamlining the electoral process, may pose serious constitutional challenges that threaten the federal character of India. By undermining the autonomy of state assemblies, increasing the centralization of power and complicating the electoral process, ONOE may conflict with the fundamental principles enshrined in the Constitution. The proposal not only requires significant constitutional amendments but also invites scrutiny regarding its practicality and intent. As India navigates its complex socio-political landscape, it is crucial to prioritize measures that enhance democratic engagement and respect the diverse voices across the nation, rather than imposition of a uniform electoral framework that could compromise the foundational principles of federalism.

The landmark **Kesavananda Bharti** case (1973) decision established that there are certain fundamental features of the Constitution, which cannot be altered by Parliament. Further, the **Supreme Court in *S.R. Bommai v. Union of India* (1994)** reinforced federalism as a basic feature of the Constitution, limiting arbitrary central intervention in state matters. The proposed **129th Constitutional Amendment Bill**, which seeks to implement the simultaneous elections for the Lok Sabha and all State Legislative Assemblies — has generated significant debate and criticism. Synchronizing elections would require curtailing or extending the terms of existing state legislatures — raising serious constitutional and democratic concerns threaten the basic structure doctrine, which safeguards the federal character of the Indian polity. The bill would need multiple constitutional amendments in Articles 83, 85, 172, 174, 356, etc., making it legally complex and politically contentious. The process for introducing the 129th Amendment Bill has been also criticized for the lack of public consultation and transparency adequate public debate and stakeholder consultation, especially with state governments and opposition parties. Indian Judiciary has historically played a crucial role in upholding federalism. Any attempt to amend constitutional provisions affecting state elections would likely face judicial scrutiny. The

courts may need to reaffirm the basic structure doctrine to protect the rights of states and their autonomy.

D. Implication on political Participation:

Critics are of the opinion that 'One Nation, One Poll' does not adhere to the principle of participatory democracy. It wants to curtail participation by holding elections just once in five years for all representative institutions. In the entire debate on 'One Nation, One Poll' in the Lok Sabha, the reference to democracy and the participatory role of the people were completely missing. Neither the Treasury nor the Opposition benches once emphasised that this bill would restrict the participation of the people in the governance of the country only once in five years. It is difficult to conceive democracy as a notion devoid of any ethical considerations. For that matter, to conceive democracy which is not participatory in nature would be a fallacy. Democratic ethos demands continuous appraisal of the rulers through the participation of the citizens in various institutions related to civil society. Unfortunately, in India, in the last three decades, one could observe a decline in the civic engagement of the people with their democratically elected governments. Most universities do not hold student elections regularly or even teacher's associations have, more or less, become defunct or ineffective. The worker's unions, or even the railway union, which were once seen as a powerful instrument of civic expression of public discontent have become invisible. So, in this context, the concept of One Nation, One Poll' would further emasculate the body politic of this country. Critics fear that ONOE may reduce voter engagement by overloading voters with multiple levels of elections at once and pose a threat to democratic ethos. It could also favor larger national parties and diminish the role of regional parties, affecting the plurality of Indian democracy

V. INTERNATIONAL COMPARISON: A COMPARATIVE PERSPECTIVE

The concept of "One Nation, One Election" has generated considerable interest internationally, especially in countries with complex electoral processes. This idea, which proposes simultaneous elections for both national and regional governments, has been discussed and experimented with in various forms across the world. However, critics in India highlight the logistical challenges, the complexity of aligning different regional political interests and concerns over the possible undermining of local issues in the pursuit of national political agendas. Besides, the countries which follow the one nation one vote system are the countries with proportional representation and list system and none of them are following the first past the post system. Also, all the countries are smaller in size than India and don't have that much diversity, hence there is no comparison with India.

Benefits and Challenges – International Perspective:

As far as the benefits are concerned, they include, cost savings, increased voter engagement, political stability, however, there are certain concerns as well such as local issues get overlooked, complexity of coordination of electoral laws, voter education and administrative resources along with apprehension of central domination as in countries with strong national parties, simultaneous elections might lead to centralizing tendencies and undermine regional autonomy. While One Nation, One Election may offer some advantages, including cost savings and better electoral coordination, it also introduces complex challenges, especially in diverse countries where local issues require distinct attention. The experiences of various countries like show that while the idea of holding simultaneous elections is appealing in theory, its implementation and success depend largely on the political context, governance structure and regional dynamics.

VI. CONCLUSION

Concurrent polls seem to be desirable in the context of dropping the interruptions, chaos, expenditures, burden on security forces and poll officials, corruption and violence associated with frequent elections. There would be less chance of policy manipulation and distortion and more focus on governance, which are common during election periods. It can also result in higher voter turnouts. Often, important policy measures are suspended due to MCC's non-uniform and confusing implementation. It is important, however, to consider the accountability costs that might result from such benefits. Although simultaneous elections could have a positive impact on voter participation. However, if one nation one vote is implemented in the way it is suggested by NITI Ayog, based on secure term and constructive vote, demand gigantic liability costs. Though proponents claim ONOE will reduce electoral expenditure, critics point out that democracy comes with a cost, and regular elections ensure constant accountability and financial arguments may be overstated.

Conducting simultaneous elections across the country may also pose Logistical and Operational Hurdles would require massive logistical coordination, including availability of EVMs, security forces, polling staff, etc. besides, there is concern that the Election Commission of India (ECI) may not be adequately resourced or empowered to manage such an enormous task. If a state government falls mid-term, would elections be postponed, or will President's Rule be extended until the next synchronized election? Either option raises constitutional and ethical concerns. However, to conclude if all the stakeholders are involved and agreed the proposed electoral reform, still it would take an Indianized model to implement it along with required amendments

and adjustments in articles of Constitution/provisions of relevant statutes.

VII. REFERENCES:

1. Debroy, B and Desai, K. Discussion Paper, ‘Analysis of Simultaneous Elections: The “What”, “Why” and “How”’, accessed on 14 December, 2023
2. Mehra, A.K. (Sept 11, 2023). Simultaneous Elections: Why Now? The Wire <https://thewire.in/politics/simultaneous-elections-why-now>
3. http://nujlawreview.org/wp-content/uploads/2018/05/NUJS-Law-Review-Working-Paper_Response-Paper-to-Law-Commission-Draft-Recommendations-on-Simultaneous-Elections.pdf
4. Expert Speaks (August 8, 2016). Simultaneous Elections: Idea Good, but is it Practical? Observer Research Foundation.
5. Debroy, B. and Desai, K. Discussion Paper, ‘Analysis of Simultaneous Elections: The “What”, “Why” and “How”’, accessed on 14 December, 2023
6. Shrotriya, E. and Pachauri, S. (2021) Simultaneous elections and flexible legislative terms: a constitutionally preferable approach, *Indian Law Review*, 5:1, 106-138, DOI: 10.1080/24730580.2020.186822
7. Karthikeyan, P. (2018). Basic Structure Doctrine and the possibility of simultaneous elections. <https://dx.doi.org/10.2139/ssrn.3666391>
8. Shrotriya, E. and Pachauri, S. (2021) Simultaneous elections and flexible legislative terms: a constitutionally preferable approach, *Indian Law Review*, 5:1, 106-138, DOI: 10.1080/24730580.2020.186822
9. Gupta, S. (March 5, 2018). ‘One Nation One Poll’ and the Quest for Political Hegemony. The Hindu Centre for Politics and Public Policy.
10. Das, S. (September 4, 2023). Simultaneous polls past and present: What the numbers tell us. The Indian Express
11. *ibid*
12. Shrotriya, E. and Pachauri, S. (2021) Simultaneous elections and flexible legislative terms: a constitutionally preferable approach, *Indian Law Review*, 5:1, 106-138, DOI: 10.1080/24730580.2020.186822
13. Blick, A. (May 17, 2017). Good idea, bad outcome: whatever happened to fixed-term parliaments? LSE British Politics and Policy

14. Norton, P.(2016). The Fixed-term Parliaments Act and Votes of Confidence. Parliamentary Affairs 3, 11
15. Kjellgren, H. (2001) as cited in Sweden: From Mid-term County Council Elections to Concurrent Elections. Dandoy and Schakel (eds) *Regional and National Elections in Western Europe. Territoriality of the Vote in Thirteen Countries*. Palgrave Macmillan.
16. Berg, L. (2013). From Mid-term County Council Elections to Concurrent Elections. Dandoy and Schakel (eds) *Regional and National Elections in Western Europe. Territoriality of the Vote in Thirteen Countries*. Palgrave Macmillan.
17. ibid
18. Rihoux, B. Electoral Reform and electoral Behaviour in Belgium: Change within Continuity ... or conversely, paper presented at the Conference on "Partitocracies between crises and reforms: the cases of Italy and Belgium", Brussels, 29-30 September 1995.
19. Baudewyns et.al (2015). The Success of the Regionalist Parties in the 2014 Elections in Belgium. *Regional and Federal Studies*, Vol. 25, No. 1, 91–102, <http://dx.doi.org/10.1080/13597566.2014.998202>
20. ibid
21. Lodge, T. (2003). How the South African Electoral System was negotiated. *Journal of African Elections*
