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One Nation One Election in India: A Contemporary Need vis-a- vis a Matter of Mere Discussion

PROF. DR. ASHUTOSH BAIRAGI¹

ABSTRACT

The election process is the main identity of any democratic country, it gives a vibrant form to democracy and also ensures its participation in the progress of the country. Our country India is such a democratic country, in which the process of elections goes on almost every year, in which elections are held every time at some place and development works are hampered due to the code of conduct. One Nation One Election is a measure that can save India from being on election mode throughout the year. It can provide a new structure to the Indian election process. Through this process, there is a concept to hold the elections to the Lok Sabha and the Legislative Assemblies simultaneously. In 1999, the Law Commission, in its 170th report, favored simultaneous elections to the Lok Sabha and assemblies. After this, in December 2015, the Law Commission presented a report on the topic 'One Nation, One Election'. It was told that if elections to Lok Sabha and Vidhan Sabha are held simultaneously in the country, then crores of rupees can be saved. Keeping these things in mind, it was recommended that simultaneous elections should be held in the country. Through this paper, the author analysis the concept of One Nation One Election in India.

Keywords- Nation, Election, Democracy, Constitution.

I. INTRODUCTION

In order to run the government system, it is necessary for the people to elect their representatives. Elections are held to implement this rule of democracy. If understood in simple language, the process of electing your public representative is called election.

Direct participation of the people in running the system is not possible in any democracy. Therefore, to make democracy easy, the representative of the people is elected. Under the set rules, free and fair elections are conducted under the supervision of an independent institution. People participate in these elections. And elects her public representative by voting. This process is called the electoral process.

¹ Author is a principal at Shri Vaishnav Institute of Law, Indore, M.P., India.

The electoral process depends on the following points:

- Is democracy direct or indirect?
- Who will have the right to vote?
- What will be the voting rules?
- Who can contest election?
- What will be the voting process?
- Under whose supervision will the elections be held?
- How will the counting of votes take place?

II. ELECTION SYSTEM IN INDIA

Indian democracy is the largest democracy in the world. The Constitution of India makes some basic rules regarding elections. Elections are conducted in India under the rules of Article 324 to Article 329 given in Part 15 of the Constitution.

(A) Who conducts elections in India?

Elections in India are held under the supervision of the Election Commission. The Election Commission is an independent institution which was established on 25 January 1950. It is the important responsibility of the Election Commission to conduct free and fair elections in India. The Election Commission consists of a Chief Election Commissioner and two other Commissioners. All have a tenure of 6 years.

(B) What is Election Commission?

The Election Commission has been created under Article 324 of the Constitution of India. The Election Commission is also called the Election Commission. Elections to the President, Vice-President, Lok Sabha, Rajya Sabha and Legislative Assemblies in the country are directed and organized under the control of the Election Commission.

Some important information related to Election Commission:

- The Chief Election Commissioner and the other two commissioners are elected by the President of the country.
- The Parliament of the country can remove the Election Commissioner by impeachment.
- The election commissioner has the same status as a judge of the Supreme Court.
- It is the responsibility of the Election Commission to conduct fair elections in the country.
- To inspect political parties and allot them election symbols.

- It is the responsibility of the Election Commission to register voters.
- From the announcement of election dates to the counting of votes, everything comes under the Election Commission.
- It is the duty of the Election Commission to implement the code of conduct from the nomination of the candidates.
- Providing election related information to the media.

(C) What are the types of elections?

There are two types of electoral process followed in India. Direct elections and indirect elections. Under direct election, the people directly choose their representative. Like in the Lok Sabha and Vidhan Sabha elections, it directly elects its MP and MLA.

Under the indirect system, the President, Vice President, Rajya Sabha and Legislative Council are elected in the country. The President, Vice-President and Rajya Sabha MPs are not directly elected by the people. People's representatives elected by the people elect them. Therefore it is kept in the category of indirect.

(E) Direct elections are held at three levels:

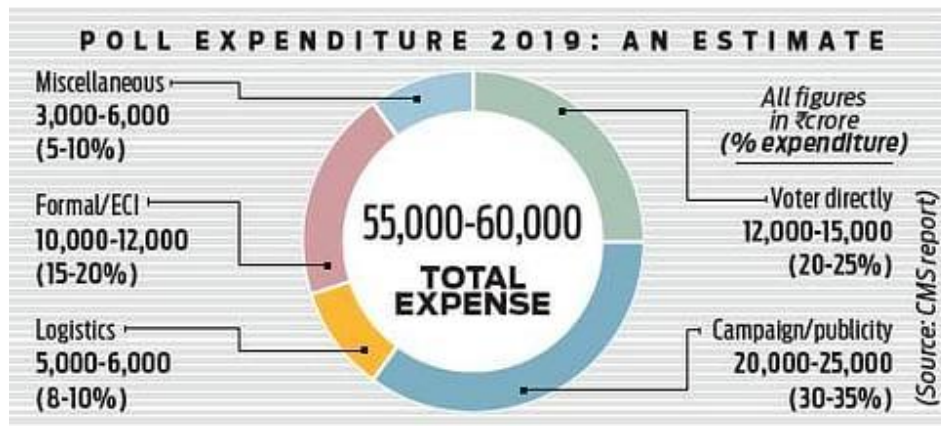
- **Lok Sabha Elections:** Lok Sabha elections are also called general elections in India. Electoral constituencies are determined on the basis of population from each state of the country. The public elects one representative from each constituency. In the present system, there are 545 Lok Sabha seats in the country. The Lok Sabha elections are held under the supervision of the Election Commission.
- **Assembly Elections:** Like the Lok Sabha, the number of constituencies in each state is fixed. These areas are decided on the basis of population. People choose the MLA from their constituency. Like the Lok Sabha, the assembly elections are also held under the supervision of the Election Commission.
- **Urban body elections:** Urban body elections are held under the control of the State Election Commission. Through these elections, the public elects the corporator for their city or area.

III. MULTIPLICITY OF ELECTIONS IN INDIA- A PROBLEM

Elections are considered the biggest celebration of democracy. If we look at the elections held in the country, we find that every year elections are held in one or the other state. Due to this continuity of elections, the country remains in constant electoral mode. This not only affects the administrative and policy decisions but also puts a heavy burden on the exchequer of the

country. According to an estimate, more than 60 thousand crore rupees were spent in the recently held 17th Lok Sabha elections and the country was in election mode for almost three months.

Similar situation prevails in different states of the country almost throughout the year. In such a situation, the idea of 'One Nation One Election' can get rid of these situations.



IV. ONE NATION ONE ELECTION

(A) The brighter side

Recently, the Parliamentary Committee, in a report tabled in both the Houses of Parliament, had said that if all types of elections are conducted in the country at once, not only will it reduce the burden on the exchequer, but the expenditure of political parties will also be reduced. Along with this, maximum utilization of human resource can also be done. At the same time, the increasing apathy of the voters towards voting will also be reduced. Let us tell you that Prime Minister Narendra Modi has also said many times that one nation one election is not only a matter of discussion now, but it is also a contemporary need of India, because every month big elections are being held somewhere in the country. The country is well aware of the impact it has on development works. It is well known that frequent elections also have an impact on administrative work. If all the elections in the country are held together, then the political parties will also be able to devote more time on the development works of the country and the state.

However, the talk of one nation one election is not new, because in the years 1952, 1957, 1962 and 1967 both the Lok Sabha and the state assembly elections have been held simultaneously. But after the year 1967, many such incidents have come to the fore, in which the Lok Sabha and the state assembly have been dissolved at different times. A major reason for this has been the premature dissolution of governments due to lack of trust votes in many state legislatures.

At the same time, the governments in many states have not been able to complete their tenure due to the breakdown of the mutual alliance of the parties in power due to various reasons. Many times such circumstances have come in the Lok Sabha as well, due to which the tenure of the central government has not been completed for five years. In view of these circumstances, 'One Nation, One Election' is inevitable today.

In the year 1999, the Law Commission, in a related report, had favored simultaneous elections to the Lok Sabha and the Legislative Assemblies. But for this the need to amend the constitution was also expressed. Since in the past, assemblies have been dissolved in time. Therefore, the time limit of many state legislatures will also have to be reduced and the time limit of many may also have to be increased. The same problem can happen in the Lok Sabha as well. Therefore, to solve all these problems, Article 83 (the term of the Lok Sabha is fixed for five years), Article 85 (Power of the President to dissolve the Lok Sabha), Article 172 (the term of the Legislative Assembly is five years from its formation) and Article 174 (The Governor's power to dissolve the Assembly) would need to be amended. Also, there will be a need for changes in the Representation of the People Act.

(B) Benefits of One Nation One Election

There are many advantages of one nation one election, which will give a new direction to the progress of the country, because the money spent in repeated elections will be saved. It can be used for such works as education, health and water crisis prevention etc., which will make it possible to improve the standard of living of the people. Along with the economic life of the people, improvement in social life will be ensured. Many countries have adopted the equation of one country one election to accelerate development. As in Sweden last year general elections, county and municipal elections were held simultaneously. Indonesia, South Africa, Germany, Spain, Hungary, Slovenia, Albania, Poland, Belgium also have a tradition of holding elections once.

It is worth mentioning that the economic burden will be reduced by simultaneous elections, because in the year 2009 Lok Sabha elections, 11 hundred crore rupees, in the year 2014, four thousand crore rupees were spent. In the last Lok Sabha elections 2019, a huge expenditure of about six thousand crores was made. Similarly, the same situation has been seen in the elections to the Legislative Assemblies also. At the same time, due to frequent elections, the states have to stick to the code of conduct, which obstructs all kinds of development work. The education sector is also greatly affected by this. It also has a social and economic side effect that the flow of black money increases. If elections are held simultaneously, the flow of black money will

definitely be stopped. At the same time, due to the simultaneous elections of Lok Sabha and Vidhansabha, mutual harmony will increase, because such issues will not arise again and again in the elections, due to which there is a possibility of disturbing social harmony.

(C) Problems are not less

Let us tell you that simultaneous elections reflect development in the interest of the country. Of course, holding elections together will also have to face some problems, but in the context of getting rid of it forever, one nation one election is necessary. This can put regional political parties in trouble and limit their regional resources. A bigger issue pertains to the central paramilitary forces, as they will be needed in large numbers if this happens. Therefore, there will be a need for a large number of appointments in the central paramilitary forces. EVMs will be required to conduct simultaneous elections.

According to an estimate 12 to 15 lakh EVMs are currently fit for use. But when elections are held simultaneously, up to 30 lakh EVMs may be required for that. Along with this, VVPATs will also have to be installed in all these EVMs. To complete all this, an additional requirement of four to five thousand crore rupees will be required. This will certainly increase the capital expenditure. Not only this, the need of such a large number of EVMs will have to be met at once and they will also have to be replaced every three elections i.e. after 15 years, as their life span is only for fifteen years. However, considering the benefits of simultaneous elections, the expenditure on it seems more logical and relevant. This will ensure timely implementation of the policies of the government and will also ensure that the administrative machinery is engaged in developmental activities instead of engaging in electoral activities.

(D) Waste of money due to repeated elections

It would not be wrong to say that all the political parties spend about sixty-seventy thousand crore rupees in the general elections and about the same amount is spent in the state assembly elections as well. If the two are taken together, then around Rs.1.25 lakh crore is spent by the political parties. Now when the campaign from One Nation One Election will also be conducted only once in five years, surely the expenditure will also come down to half. If so much money is saved, then the condition and direction of the country will be properly determined and people will get a good standard of living. It would not be an exaggeration to say that giving consent to an election in the country can add to the progress of the country. It should be noted that there are continuous assembly elections in the country. As the five states have just concluded, Gujarat and Himachal Pradesh are likely at the end of this year, then Tripura and some other states early next year, while Rajasthan, Madhya Pradesh and Chhattisgarh will go to polls at

the end of next year. are imminent. Along with this, assembly elections were held in some other states including Bengal last year. That is, it is a continuous process. At the same time, if the local body elections and their expenses are added to it, then many benefits of holding elections together are visible.

A major concern in this regard is also related to black money. In such a situation, the main focus of the process of electoral reforms is to broaden the basic meaning of democracy, to make it more citizen friendly. It is also true that in today's time elections have become the biggest source of corruption. Seizing cash worth crores of rupees has become a tradition since the model code of conduct came into force. The candidates spend much more money than what has been earmarked for contesting elections.

There does not appear to be any major flaw in the concept of one nation one election, but the way it has been opposed by political parties, it seems that it will not be possible to implement it in the near future. There is no doubt that India, the world's largest democracy, seems to be engulfed in the electoral maze all the time. A comprehensive electoral reform campaign is needed to get the country out of this maze of elections. But now this work will definitely be possible with the commitment of the government. One Nation, One Election is also a part of the developmental agenda of the government.

In fact it is also in the interest of the country. But the opinion of political parties has been divided on this issue. Now the time has come that all the political parties of the country should unilaterally discuss the issue of one nation one election of the government and give their consent to implement it.

(E) The Darker side

At first glance, the proposal of holding simultaneous elections seems tempting. However, if we supported it without evaluating its opportunity cost, it would be downright childish. Apart from the constitutional and practical concerns, there are also a number of democratic concerns which deserve attention.

First, given the 'touching effect', it ensures a profitable edge for the ruling political party in particular, and national parties in general, over their other competitors in simultaneous elections. And this in itself is against the democratic nature of not giving equal opportunities to all. But its implementation at the regional level greatly increases the gravity of the threat, where it can have far-reaching consequences for democracy.

With this in mind, national political parties are likely to be in a dominant position in case of simultaneous elections, in which regional parties will either be less successful or will be forced

to join hands with national level competitors. However, whatever it may be, this will have a negative impact on the regional aspirations and demands, as it is the regional political parties that have been raising their issues in various democratic fora.

At the same time, as the 'touching effect' inherently gives prominence to the ruling party/coalition government, there is a constant risk of them being elected to political power, no matter what the cost. Will be encouraged to keep This would be fatal to democracy, as not only India but also world history is replete with such examples as can be seen in Hugo Chávez's Fifth Republic Movement in Venezuela and Viktor Orbán's Fidesz in Hungary, where a single party The dominance of the government has reduced itself to turning a democratic system into a dictatorship.

Second, one of the fundamental principles of parliamentary democracy is that a government that has popular support has the right to govern until it chooses to dissolve itself or loses popular support. Simultaneous election does not necessarily follow this principle. There may be cases where governments elected through simultaneous elections may either lose popular support or be dissolved mid-term. If a state government loses its majority in the middle of its term, the governor acting on behalf of the President of India will be forced to ask other parties/alliances to form the government as an alternative. Because the option of re-election is not available. If efforts to form the government still fail, the state would have to be governed by President's Rule under Article 356 of the Indian Constitution until the next scheduled elections. Which, obviously, would be anti-democratic.

This scenario also applies at the center level. If a central government loses its majority during its intervening term, the only available course of action is to invite the President to invite other parties/coalitions to form the government. If this measure also fails, then the country will have to be governed under President's rule with the aid and advice of the Council of Ministers, which will be part of a dormant Lok Sabha and a functional Rajya Sabha, until the next election. This type of government would be far from being democratic, and in a way closer to a constitutional oligarchy.

It is no surprise that the Law Commission of India's draft report on holding simultaneous elections from 2018 also states that the current structure of the Constitution does not permit simultaneous elections, and states that such elections To hold the event would require extensive amendments to the Constitution. Not only this, but along with it, extensive amendments will have to be made in the Representation of the People Act and the manual process of Lok Sabha and State Legislatures.

Frequent elections keep elected representatives and governments on alert at all times because they have to constantly go among the masses. If the elections are held simultaneously, this accountability will be reduced to a large extent as the elected representatives will now be left out of their accountability through mid-term elections.

And finally, elections are an important tool for ensuring democratic accountability. Due to frequent elections, the elected representatives and governments have to constantly keep themselves alert because they have to constantly go among the general public. This keeps them under constant scrutiny to deliver on their promises. Going to the polls simultaneously will reduce this accountability, as the elected representatives will no longer need accountability through mid-term elections.

The roots of democracy in India have strengthened over time and the role of frequent elections has been very important in this context. This has allowed regional political parties to flourish and give importance to regional aspirations at the national democratic level. In short, the frequent elections have only strengthened the roots of democracy in India.

A move towards reintroducing the practice of holding simultaneous elections will effectively take democracy in India two steps back.

V. CONCLUSION- THE BOTTOM LINE

As far as possible, holding simultaneous elections (except for the essential use of Article 356 and bye-elections) will help in reducing the expenditure to a large extent and, at the same time, reduce the period of implementation of the Model Code of Conduct. This will have an effective effect, because during this time development works come to a standstill and government work gets disrupted; especially when elections are held in multiple phases. It is also expected that the simultaneous elections will help in reducing policy indecision and engagement of the government as well as focus politically on policy matters.

Of course, there will be challenges in creating the infrastructure for this – building up an already huge stock of EVMs, as well as mobilizing VVPAT paper and election ink. But we can also consider methods adopted in other countries, such as the postal ballot, a single form for multiple positions in an election. Further, constitutional amendments may be required to ensure that such uniformity is not hindered in future. The constitutional amendment can be done to prevent destabilization of the government by no-confidence motion and with the motion of no-confidence, making the motion of confidence mandatory to form the government can also be a solution. Some such suggestions have been given in the 170th report on reforms in electoral laws submitted by the Central Law Commission.

We should also consider reforms such as government financing of elections and electronic voting, and of course respecting the will of the people in doing all this. Many political parties, beyond the partisan camp, have indeed welcomed such suggestions. We can make a start by holding simultaneous elections to Panchayats, Municipal Bodies and State Assemblies. Consider the example set by our former colonial ruler, Britain. It passed the Fixed-Term Parliament Act in 2011, emphasizing on providing more stability and certainty to the tenure of the British Parliament. Premature elections will be approved only if two-thirds of the members of the House agree to it or a no-confidence motion is passed against the government. We too can at least start with any such step. There are, of course, many who are concerned about the country losing its electoral diversity – but perhaps they should leave that to the mature Indian electorate.

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