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One Nation One Election through the Federal Lens: An Analysis of the 2024 Ram Nath Kovind Panel Report

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ABSTRACT

The concept of One Nation One Election or Simultaneous Elections has been proposed as a significant move towards electoral reforms. While simultaneous elections are a lucrative and desirable move in theory, several constitutional and practical issues arise. This paper examines the 2024 report of the High-Level Committee on Simultaneous Elections and finds that there are several beneficial and strategically sound recommendations for the conduction of simultaneous elections, however, the question of its impact on federalism is sidelined. The report fails to adequately address concerns about undermining federalism and the prospect of regional issues being overshadowed during simultaneous nation elections have been brushed aside by the Committee Report.

Considering such uncertainty, the conduction of simultaneous elections at a national scale could be detrimental and lead to further national and regional challenges. To address these concerns, the paper proposes regional clustering by grouping states with similar electoral cycles. This maintains focus on both national and local issues, preserving regional integrity while reducing the burden on the Electoral Commission. Secondly, it recommends allowing governments elected mid-term to continue until the next Lok Sabha elections, if elected more than two and a half years post the initial polls. This ensures stability and effective governance. Lastly, the concept of Constructive Vote of No-Confidence may be adopted, as seen in the German political model. This ensures a smooth transition of power without the disruption or additional costs of polling.

In conclusion, while simultaneous elections hold great promise, it is imperative that regional issues and the spirit of federalism is not sidelined. This paper aims to balance efficiency with federal principles.

Keywords: *simultaneous elections, electoral reforms, 2024 Panel Report.*

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I. INTRODUCTION

Elections have always been an integral part of India's democratic spirit, intended to ensure that the choice and voice of individual citizens is not lost in the political landscape of the nation. However, over the years, the electoral process in India has become complex and overlapping, with multiple state and national elections taking place at different times. While this has become the norm in the decades since India's independence, it poses several detriments to the fabric of the nation, including steep cost of elections, policy uncertainties, and voter fatigue.³

India's elections are directed and controlled by the Election Commission of India⁴. Elections are held for the Lok Sabha (Lower House of the Parliament) as well as for the Rajya Sabha (Upper House of the Parliament). Besides this, elections are also conducted for the State Legislative Assemblies, and local governing bodies like Panchayats and Municipalities. While the Lok Sabha elections are intended to be conducted every five years, this cycle often falls out of rhythm, resulting in a stagnant election mode in States.

The costs incurred by the ECI in conducting elections is one of the most burdensome impacts of this staggered election system. Substantial funding of the 2019 elections cost went towards election arrangements, polling staff and security personnel, and other election arrangements⁵. Further concerns arise about the efficiency of governance when political parties are, more often than not, engaged in campaigning and other electoral activities. Besides this, the Model Code of Conduct directed by the ECI⁶, when imposed for a protracted period, impedes the implementation of welfare schemes, infrastructure projects, and policy decisions for the existing state and central governments⁷. The proposed concept of One Nation, One Election (“**ONOE**”) aims to synchronise elections across India in a bid to ensure that prolonged election periods do not occur.

II. CONSTITUTIONAL HURDLES IN THE ONE NATION ONE ELECTION SYSTEM

The implementation of ONOE is subject to a number of hurdles in the current political landscape of India. This is because of both Constitutional provisions as well as critique surrounding the

³ Keerthana R, *The Hindu Explains: One Nation One Election*, THE HINDU, (June 19, 2019 03:18PM) <https://www.thehindu.com/news/national/one-nation-one-election/article61994948.ece>.

⁴ The Constitution of India, Article 324 which vests the ECI with superintendence, direction, and control of elections.

⁵ Special Correspondent, *Concern over Rising Cost of Conducting Election*, THE HINDU (June 17, 2019 11:40PM) <https://www.thehindu.com/news/national/telangana/concern-over-rising-cost-of-conducting-election/article28022817.ece>

⁶ Election Commission of India, *Model Code of Conduct for the Guidance of Political Parties and Candidates*, NATIONAL INFORMATION CENTRE (2024) <https://old.eci.gov.in/mcc/>

⁷ Dr. A Shaji George, *One Nation One Election: An analysis of the Pros and Cons of Implementing Simultaneous Elections in India*, 02. PUIRJ 40, 41 (2023).

potential infringement of India's federal nature, and the question of how important features of the Parliamentary bodies' functioning such as No-Confidence Motions may be protected.

In implementing ONOE, local governing bodies like the Panchayats or Municipalities present two major hurdles, since it brings within its ambit not just elections to the Lok Sabha and the State Assemblies but also the polls concerned with local governing bodies. This especially poses a hurdle as local body elections are conducted by the State Election Commissions⁸, as part of the State List⁹ while elections to the Lok Sabha are conducted by the National Election Commission¹⁰. A criticism of the system has been that unifying elections at all three levels has the potential to infringe upon India's federal nature which then forms a component of the larger issue of national parties gaining greater power and the centre, holding too much control over the electoral system. Besides this, while the Lok Sabha and the State Assemblies may be dissolved through processes like No-Confidence motions, the local governing bodies do not have the power to exercise such powers.¹¹ Hence, though the term for elected officials in local governing bodies is also five years, the volatile nature of State and National bodies would make it difficult to ensure that the three levels are kept synchronised.

Constitutional provisions that pose challenges to the implementation of ONOE include Articles 83¹² and 172.¹³ These articles provide that the elected government will hold office for a period of five years both in the State Assemblies as well as the Lok Sabha, unless sooner dissolved by the President or Governor. When governments are dissolved by the President, the newly incumbent government's term is also five years, which means that the election to that body will be delayed accordingly. Hence in the ONOE system, when one of the bodies is dissolved, it may throw a wrench in the concurrent election of the other.

The Tenth Schedule of the Indian Constitution is concerned with Anti-Defection and disqualification from governing bodies on the grounds of defection. In light of simultaneous elections, this schedule would have to be amended to accommodate scenarios where different elections are a necessity.

The Representation of People Act, 1950 governs elections across the country. Section 14 of the Representation of People Act empowers the Election Commission to prepone elections by six

⁸ The Constitution of India, Article 243K.

⁹ The Constitution of India, Entry 5 of List II, Schedule 7.

¹⁰ The Constitution of India, Article 324.

¹¹ Elections to Panchayats is governed by Part IX of the Indian Constitution, which does not provide for preponing the elections or dissolving the local bodies. Article 243E states that Panchayats cannot be dissolved. Additionally, Article 243U also provides that municipalities cannot be dissolved.

¹² The Constitution of India, Article 83.

¹³ The Constitution of India, Article 172.

months, in necessary circumstances. This power would have to be amended or curtailed to ensure that it does not infringe on the simultaneous conduction of elections.

Besides this, statutes such as Delimitation Acts and State Reorganisations will also affect the ONOE system, as the functioning of bodies such as Delimitation Commissions need to necessarily coincide with election years so as to ensure that no disruptions occur in constituencies at the local levels or at State Assemblies. These bodies also influence the Lok Sabha elections due to proportional representation of States based on population.

A key issue that arises in implementing simultaneous elections is the existing political landscape in India. Currently, various State Assemblies are at different junctures in their five-year term. In order to begin the implementation of simultaneous elections, these terms need to end at the same time. The NITI AAYOG attempted to provide a solution for this by conducting elections in a phased manner, with around 12 states with governments close to the end of their term having elections in the election cycle of 2019 and the rest of the states having elections in the 2024 cycle.¹⁴

III. INTERNATIONAL PERSPECTIVE ON SIMULTANEOUS ELECTIONS

A cross-national comparison reveals similarities and differences in the simultaneous election systems of Belgium and South Africa, offering insights into the potential challenges and opportunities of implementing such a system in a vast and diverse country like India. While these systems differ in their specific structures and nuances, they share commonalities that provide insights into potential challenges.

In Belgium, the simultaneous election system allows voters to cast ballots for both regional and federal representatives on the same day. This approach accommodates diverse linguistic and regional communities within the federal framework, akin to India's regional diversity. However, Belgium's system also permits dual mandates, where politicians can hold seats in both federal and regional parliaments. This practice has faced criticism for potentially creating conflicts of interest for politicians as they may choose to prioritise regional interests over national or vice-versa, undermining the effectiveness of representational diversity. Serving in multiple legislative bodies simultaneously can spread politicians' attention thin, potentially reducing their ability to fully engage in the legislative process and adequately represent their constituents. This can result in less effective policymaking and oversight.

¹⁴ Bibek Debroy and Kishore Desai, *A Discussion Paper on Analysis of Simultaneous Elections: The "What", "Why", and "How"*, DEPARTMENT OF LEGAL AFFAIRS, https://legalaffairs.gov.in/sites/default/files/simultaneous_elections/NITI_AYOG_REPORT_2017.pdf

Similarly, in South Africa, simultaneous elections are held for both the national assembly and provincial legislatures through proportional representation¹⁵. Despite aiming for inclusivity, the multi-party system in South Africa poses challenges, such as the dominance of national issues over provincial concerns and the fragmentation of the political landscape, leading to coalition politics and potential inefficiencies in governance.

While Belgium and South Africa grapple with the complexities of simultaneous elections, such a system raises pertinent questions for India's diverse political landscape. The dominance of national issues could overshadow regional concerns, marginalizing smaller or marginalized communities. This challenge is particularly relevant in the Indian context, where diverse linguistic, ethnic, religious, and caste-based groups coexist within a complex political landscape. An illustration of this challenge is indicated by Belgium's perceived decrease in attention towards the presence of European Union (EU) affecting the daily lives of Belgians. Despite such direct and close influence of EU, the country's electoral system presents challenges for capturing the influence of the EU issue on national voting behaviour. Simultaneous campaigns spanning multiple electoral levels divide the attention of parties, media, and voters. This diversion of focus means that the EU issue must contend with other pressing national and regional matters.¹⁶

Moreover, accountability of elected representatives may diminish in a system where voters choose political parties rather than individual candidates. Coalition politics, common in India's multi-party system, could further complicate governance, potentially undermining stability and effectiveness¹⁷. In India, with its vast array of linguistic, ethnic, and religious minorities, ensuring equitable representation in simultaneous elections would be essential for upholding democratic principles.

Additionally, simultaneous elections in India may reduce accountability and scrutiny of elected representatives, as the frequency of elections serves as a mechanism for ensuring democratic oversight. This accountability is crucial for addressing regional aspirations and fostering democratic principles¹⁸.

The proposal of holding simultaneous elections appears enticing initially, yet without thorough

¹⁵ Yudhajit Shankar Das, *One Nation, One Election? India Will Enter a 3-Country Club*, INDIA TODAY (September 1 2023 6:05PM)<https://www.indiatoday.in/india/story/one-nation-one-election-india-will-be-among-countries-that-hold-simultaneous-polls-2429716-2023-09-01>.

¹⁶ DIETER STIERS, *EU ISSUE VOTING IN SIMULTANEOUS ELECTIONS: THE CASE OF BELGIUM*, 169 – 203 (2023).

¹⁷ Swastika Pandit, *One Nation One Election: Challenges in the Indian Government System*, 5 INT. J. POLITICAL SCI. GOVERNANCE. 206, 209 (2023).

¹⁸ Ashutosh Bairagi, *One Nation One Election in India: A Contemporary Need vis-a-vis a Matter of Mere Discussion*, 5 INT'L J.L. MGMT. & HUMAN. 1726 (2022)

evaluation, it raises significant democratic concerns. National political parties are likely to gain dominance, marginalizing regional parties and potentially stifling regional aspirations. Moreover, simultaneous elections may deviate from the fundamental principle of parliamentary democracy, as mid-term dissolution could occur without popular support. This could lead to governance by President's Rule, undermining democratic principles and accountability.

Frequent elections play a crucial role in keeping elected representatives and governments accountable to the public. Simultaneous elections could diminish this accountability, as representatives would no longer face mid-term scrutiny. The roots of democracy in India have been strengthened by frequent elections, allowing regional parties to flourish and voice regional aspirations at the national level¹⁹. Therefore, while simultaneous elections may seem appealing, their implementation must be carefully considered to preserve democratic principles and accountability.

While simultaneous elections offer certain advantages, they also present significant challenges in the context of India's diverse political landscape. Any decision to adopt such a system should be preceded by thorough evaluation and deliberation to safeguard democratic principles and ensure effective governance.

IV. RAM NATH KOVIND PANEL REPORT -WHAT IT RECOMMENDS

A High-Level Committee chaired by former President Mr. Ram Nath Kovind recently undertook an extensive and in-depth study of the viability of simultaneous elections. The committee functioned for 191 days and submitted the Report to President Droupadi Murmu on March 14, 2024.²⁰ The 18,626-page report included opinions, suggestions, and recommendations from not just the members of the committee but also an extensive number of legal luminaries. The report also took into consideration the opinions of various political parties in forming their suggestions and conclusions. Few of the recommendations made by the Committee are enumerated below –

(A) Amendment to Article 82A

The recommendation proposes that the President of India may bring the amended article into effect on the date of the first sitting of the Lok Sabha after a general election. Following this date, termed the “Appointed Date”, the elections to the State Legislative Assemblies will

¹⁹ Dr. Meenakshi Bansal, *The Concept of One Nation One Election – An Analysis from Indian Perspective*, 22 (4) Think India Quarterly Journal Issue, 3077, 3081 (2019).

²⁰ Kanu Sarda, *Ram Nath Kovind-led Panel Submits Report on One Nation One Election to President*, INDIA TODAY (March 14, 2024 1:16PM) <https://www.indiatoday.in/india/story/one-nation-one-poll-panel-report-likely-today-ram-nath-kovind-2514546-2024-03-14>.

commence across the nation. The key recommendation under this amendment is that the Legislative Assemblies formed post the “Appointed Date” will have a term that runs parallel to that of the Lok Sabha and will expire when the House of the People’s term expires. Essentially, this amendment makes election to the Lok Sabha and State Legislative Assemblies concurrent.

Direction in the Event of No-Confidence Motion in State Legislative Assemblies

The amendments lend importance to the “Appointment Date” of the Lok Sabha. This date signifies the beginning of a new electoral cycle, and will align various elections. In keeping with the concurrent terms of Lok Sabha and State Assemblies recommendation, if a mid-term election is conducted in the states, the newly elected government will hold office only till the expiry of the original 5-year term of the former Assembly.

(B) Amendment to Article 324A

The amendment to Article 324A introduces provisions to hold Municipalities and Panchayat elections concurrently with General Elections. This amendment will empower the Parliament to pass laws that ensure the synchronization of elections between the Centre and State, and the local bodies. It also provides for the possible shortening of terms of the local governing bodies to align with the General Elections.

Two-Phased Implementation of the Scheme

The proposed amendments outline a two-phase implementation of the ONOE plan. The first phase will involve simultaneous elections to the Lok Sabha and the State Legislative Assemblies. This will align the two bodies and is meant to ensure a cohesive legislative framework. The second phase extends this synchronization to local governing bodies, proposing that elections to Municipalities and Panchayats occur within a hundred days of the elections to Centre and State bodies. This two-phase approach aims to gradually implement simultaneous elections across all levels of government, fostering efficiency and consistency in governance.

(C) Amendment to Article 325 and Centralising Electoral Processes

The recommendations of the Committee also aim to avoid duplication of work and increase the Election Commission’s efficiency. The proposed amendments hence focus on harmonizing the actions of the National Election Commission and the State Election Commissions. The recommendations to amend Article 325 aims to create a Single Electoral Roll and Single Elector’s Photo Identity Card (EPICs) for all levels of government elections. This move is proposed to not only safeguard voter rights but also reduces redundancy and ensures a streamlined electoral process. By centralizing the preparation of these documents under the

Election Commission of India, in consultation with State Election Commissions, the amendments aim to reduce administrative burdens and potential errors in voter registration.

These amendments are poised to significantly impact the electoral landscape and purports to foster better working governance by shifting the focus away from election strategies. The move is also projected to inculcate consistency and uniformity in the Indian Democratic System.

(D) Analysis of the Ram Nath Kovind Panel Recommendations

The recommendations enumerated in the Ram Nath Kovind led panel are a significant step towards electoral reforms and streamlining the electoral process. A number of significant discussions and beneficial suggestions arise from the paper. However, it fails to adequately address the concerns raised by regional parties and State leaders about the potential detriment the system might pose to federalism. The report does little to alleviate these fears, shrugging them off as “misplaced” while failing to provide satisfactory reasoning. Hence, it is difficult to reconcile the benefits of simultaneous elections with the potential and substantial harm that the system might pose to the federal integrity of the nation, a key component of the Constitution’s basic structure.

ONOE, in the form recommended by the report, is implicitly violative of the federal nature of Indian Polity enshrined in the basic structure doctrine as tying the Legislative Assembly Elections to the Lok Sabha Elections would mean an overriding of the individualism of the State Assembly. While the report mentions this concern on multiple occasions, little has been done to alleviate these concerns. This would also have the effect that state governments formed after the “Appointed Date” as recommended by the Report would be dissolved before the completion of the five-year term. This would mean an improper, or at the very least, imperfect and incomplete implementation of schemes and state government policies. The intention of a five-year term for the State and Central Government Bodies is to ensure that welfare schemes and policies meant for the benefit of the people comes to fruition. This cannot feasibly be done if the term of the Assembly is curtailed based solely on the term of the Lok Sabha.

Simultaneous Elections also take away attention from regional issues and shift focus to national parties and their policies. When national and regional elections are conducted at the same time, the focus of voters will naturally shift to the larger picture and to the policies of the national parties. This could pose a detriment to regional parties, defeating the intention of the nation’s political process in employing a multi-party system.

In the recommendation of the above Ram Nath Kovind Committee, amendments to Article 82A are proposed to the effect that in case of dissolution of Assemblies, there will be a mid-term

election to elect the new government in between the term of the Lok Sabha. This is not very different from the current scenario where, in wake of every dissolution or breakdown of a State Government, the Election Commission conducts a required poll. Hence, even though the article changes, the costs incurred by the Election Commission itself does not.

The possibility and, in light of the recent trend in State Assemblies, the inevitability of hung assemblies and dissolutions will automatically lead to elections in between the five-year term. Hence, the status quo remains the same, *de facto* if not *de jure*.

The question that arises in examining the implementation of ONOE is a cost-benefit analysis, the major benefit proposed through ONOE is the cost cutting that the Election Commission of India will enjoy due to the shorter term of the election season. However, the author opines that the steps that are recommended and that must inevitably be taken if Simultaneous Elections is to be satisfactorily implemented, is disproportionate to this benefit. The implementation of ONOE requires nearly a total upheaval of the Constitutional provisions surrounding elections and the functioning of all three levels of government. This will inescapably entail substantial changes in the way the nation functions and potentially poses long-term detriments to the fundamental principles that govern the nation, not the least of which is federalism.

Finally, the feasibility of ONOE is tenuous in a nation like India. The major hurdle that simultaneous elections face is the fickle nature of India's political landscape. The trend of President's Rule being used as a tool of political dominance, such as seen in the Indira Gandhi regime which substantially affected the synchronization between the State and Centre elections, is a trend which is still prevalent today²¹. Further, defections and no-confidence motions are common tools of Parliamentary procedures employed in both the State and Central governing bodies. This would mean that the conduction of simultaneous elections, or the attempt to tie State Elections to that of the Lok Sabha would be a monumental task that has the potential to prove taxing to the Election Commission as well as to the governing parties themselves.

V. IMPLICATIONS OF SYNCHRONISING ELECTIONS AND THE CHALLENGES POSED

The biggest effect in favour of synchronising all elections – national and state – is that it would streamline the electoral process, reduce strain on resources and enhance governance efficiency, however, it is not as simple as that. The suggestion being made by the Election Commission of

²¹ In recent times, this is evident in the abuse of the position of Governor through the influence of the centre, as seen in cases such as *State of Rajasthan v. Union of India* [1977 AIR 1361], *SR Bommai v. Union of India* [1994 3 SCC 1], and *B.P. Singhal v. Union of India* [2010 6 SCC 331].

India, NITI Aayog and various committees all include amendments to the existing provisions to facilitate such synchronisation which in itself goes against the tenets of constitutionalism.

Synchronisation's biggest threat comes from breakdown of constitutional machinery in states and this is further highlighted through past instances of extreme political instability in Indian states that serve as cautionary tales regarding challenges of implementing ONOE. A notable example of this is the emergency period of 1975 – 1976, when article 352 was invoked to declare a state of emergency following which several opposition-led state governments were dismissed and president's rule was imposed in states. Instances like this shed light on the inherent challenges of implement a scheme like simultaneous elections.

Furthermore, the proposed reforms affect the functioning of separation of powers which forms an important touchstone of Indian constitutionalism, though not explicitly enshrined. The essence of such separation lies in ensuring smooth operation of governance, which is exactly what is envisioned through these proposed reforms however, it seems to aiming towards enhancement of technical efficiency which is a far cry from the underlying aim of separation²².

The comprehensive implications of any proposal aiming to reform the electoral system and governmental structures must be thoroughly assessed. Such systemic adjustments, which carry the potential of undermining mechanisms ensuring executive accountability, are indicative of executive expansion. India is already perceived to be heading towards such a crisis, and the proposed changes may hasten its arrival²³. In a nation governed by a liberal democratic constitution, any dilution of electoral and accountability mechanisms undermines the core principles of democracy and liberalism. The government in a constitutional democracy like India is founded upon specific political values, and the proposed reforms, in pursuit of administrative efficiency, jeopardize these values. While simultaneous elections appear appealing as a concept, the mechanism proposed in the current suggestion outweighs its benefits with costs. The objectives of administrative efficiency and cost reduction can be attained without compromising the essential principles of separation of powers and constitutional democracy.

Having fixed terms for elections may seem like a handsome option considering how cyclical elections often disrupt policy implementation, administrative efficiency, exacerbate divisions along caste, religious and communal lines as policies tend to become increasingly targeted

²² Eesha Shrotriya and Shantanu Pachauri, *Simultaneous Elections and Flexible Legislative Terms: A Constitutionally Preferable Approach*, 5(1) ILR 106, 138 (2020).

²³ Tarunabh Khaitan, *Killing a Constitution with a Thousand Cuts: Executive Aggrandizement and Party-State Fusion in India*, 14(1) LEHR 49 (2020).

towards minority groups close to election years which ruins the long-term feasibility of any implemented policy. Here, simultaneous elections provide a solution since it allows the leaders to focus on governance rather than campaigning. It is also proposed as a means to mitigate political violence by reducing frequency of electoral contests themselves²⁴.

The Indian democracy, modelled after the Westminster system, hinges on the principle of government legitimacy being derived from electoral mandates. Extending government tenure beyond its mandate contradicts this fundamental principle, depriving legitimately elected governments of their rightful opportunity to govern for a fixed term²⁵. Additionally, any extension or curtailment of state assembly tenures would infringe upon the autonomy of states, which are constitutionally independent entities with their own legislative and executive branches.

A frequently made suggestion is to implement president of governor's rule for the remainder of term in cases of premature dissolution, however, such an arrangement risks abuse of power by the ruling party at the centre. The invocation of emergency provisions like President's Rule under Article 356 of the Indian Constitution²⁶, or similar arrangements for short-term dissolutions, undermines the democratic and federal principles of the Constitution²⁷. These emergency measures have historically been prone to misuse and politicization, leading to the removal of opposition parties and subverting the constitutional scheme. The Constitution's basic structure, encompassing principles of democracy and federalism, must be preserved, and emergency provisions should not be used to undermine these principles.

Implementing stability-seeking mechanisms like fixed terms and constructive votes may erode executive accountability without achieving intended goals. Fixed terms could elevate weak leaders who struggle to enact legislation effectively, leading to legislative deadlocks and inactivity. Constructive votes may be challenging to execute in India's fragmented legislatures, further entrenching rigidity in the system. Ultimately, the combination of these mechanisms, risks compromising democratic accountability and subverting the foundational principles of parliamentary democracy.

²⁴ Debroy and Desai, *supra* note 24.

²⁵ Vivek Dehejia, *Simultaneous Elections Are a Bad Idea*, LIVEMINT, (July 10, 2018 10:05PM) <https://www.livemint.com/Opinion/MgitLxJasfNAbKDhnCQgUJ/Simultaneous-elections-are-a-bad-idea.html>.

²⁶ The Constitution of India, Article 356 – Provisions in case of failure of Constitutional Machinery in States.

²⁷ Any interference with self-governance should both be rare and demonstrably compelling and the frequent use of this power is likely to disturb the constitutional balance. *SR Bommai v. Union of India* (1994) 3 SCC 1. Article 356 of the Constitution of India must be invoked cautiously and there must be substantial constitutional reasons for dismissing a state government.

VI. RECOMMENDATIONS

While simultaneous elections do seem like a desirable option on the face of it, they pose a threat to the integrity of the federal structure and apprehensions of the same have been labelled “misplaced” and “unfounded” by several reports published by the government. However, the federal integrity is a crucial touchstone and while, yes, amending the election process is not against the basic structure of the constitution, one cannot disregard the effect of decisions that seek to completely overhaul the present electoral system.

To address these concerns, we propose an alternative model that still aims for the synchronization of elections:

(A) For the Introduction of Simultaneous Elections

This model attempt to introduce simultaneous elections in a phased manner through regional clustering. Already there are several states in the nation that conduct their elections simultaneously, we make use of this fact and introduce simultaneous elections based on geographical divisions. The Northern states shall include Jammu Kashmir, Himachal Pradesh, Uttarakhand, Uttar Pradesh and NCT Delhi. The Western cluster would constitute Punjab, Haryana, Rajasthan and Gujarat while the Central cluster would include Chattisgarh, Madhya Pradesh and Maharashtra. The East cluster would include Bihar, Jharkhand, West Bengal and Odisha. The South cluster would include Telangana, Tamil Nadu, Andhra Pradesh, Karnataka, Goa and Kerala and lastly the North-East cluster would include the Assam, Manipur, Meghalaya, Nagaland, Tripura, Mizoram and Sikkim.

These clusters are not simply based on geographical proximity but largely address shared socio-economic factors as well. States face similar developmental challenges for having common socio-cultural characteristics as well. This would help maintain the distinctiveness of regional issues and identities while significantly streamlining the process by allowing logistical arrangements in closer quarters. For implementing simultaneous elections for the entire nation, significant investments would have been required on mobilising EVMs, staff, transportation and security arrangements however, through regional clustering this burden is significantly reduced without adversely affecting the state specific electoral processes.

Here the first, step would be to adjust the tenures of states within a cluster to end in the same years either by extending it with one year or curtailing but not more since curtaining terms already in place would compromise democratic values. Adjusting the terms in such a manner would take years for any particular cluster but phasing out the process of synchronisation ensures that no particular assembly is subject to unfair curtailment or extension of their term.

(B) For the Continuity of Simultaneous Elections

For the purposes of premature dissolution instead of introducing presidential rule or elections for the remainder of the fixed terms, a better alternative would be to set a mid-point of 2.5 years for a particular term. If the house is prematurely dissolved before this mid-point mark of the term, then bye-elections may be conducted for the remainder of the term however, if the dissolution occurs beyond this point, the government formed through bye-elections be allowed to continue beyond the remainder term till the next elections. This solution does not adversely affect the continuity of policies implemented by the incumbent governments and neither does it shift the focus of political candidates from governance to political tug of war for power.

Alternatively, if the introduction of potential term of almost 7 years seems like a far-fetched option, then the introduction of a constructive vote of no-confidence and solve this gap. A constructive vote essentially entails expression of a lack of confidence in the incumbent government while also naming an alternative leader for the new government of the remainder 5-year term²⁸. this measure ensures continuity of government without any hiccups and does not move against the term of five years as enshrined in the constitution.

VII. CONCLUSION

The proposal of “One Nation One Election” in India while ostensibly aimed at streamlining the electoral process and enhancing governance efficiency raises several concerns over its impact on the federal structure, regional issues and constitutional principles.

In response to these concerns, this paper sought to analyse firstly how the very federal nature of our nation will be affected through the implementation of simultaneous elections only in regional clusters on the basis of socio-economic and cultural factors. This move maintains the distinctiveness of regional identities while allowing for the focal point to not shift from regional interest while simultaneously streamline the electoral process and making easier the mobilisation of logistical considerations during elections.

To address the challenges of premature dissolution since they hinder the continuity of governance and simultaneity of elections, we propose setting a mid-point mark in the electoral term of legislative assemblies and conducting bye-elections if dissolution occurs before this mark ensuring continuity of policies without compromising democratic values. Alternatively, the introduction of a constructive vote of no-confidence allows for smoother transition while adhering to the constitutionally prescribed 5-year term.

²⁸ Law Commission of India, “Reform of the Electoral Laws”, Report No. 170, 29 (May 1999).

In conclusion, the goal of simultaneous elections is laudable however, it is essential to implement it in a manner that preserves the integrity of the federal structure, respects regional identities and most importantly, upholds democratic principles. Our proposed model offers a pragmatic approach to achieve a degree of synchronisation while mitigating potential challenges. By carefully navigating this complex landscape, a more efficient electoral system can be introduced without compromising the constitutional and democratic ethos of the country.

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