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ONE NATION ONE ELECTION

This article discusses the policy of one nation one election focusing on its history, the existing system of elections and finally the advantages and challenges of shifting to the new mode.

Introduction

An election is a process by which citizens of a country choose their preference who will hold the public office. In a democracy, election plays a vital role in ensuring that the country is run by a government which has won popular support of the people and has been chosen by them to run the country. Recently, while addressing the All India Presiding Officers' Conference at Kevadiya in Gujarat on the occasion of Constitution Day, Prime Minister Narendra Modi deliberated on the importance of one nation one election and said:

"One Nation, One Election is not just a subject of discussion, but the need of the nation. Every few months, elections are being held in someplace or the other in India. You are all well aware of the effect of frequent elections on development work. In such a situation, it is necessary to have a deep study and discussion on One Nation, One Election"¹

History of the election in India

The first general election in India took place in 1952 and resulted in the victory of Jawaharlal Nehru and India's Congress Party. After India gained independence in 1947, Nehru served as the interim leader of the government and was subsequently elected as the first Prime Minister. More than 1800 candidates and 53 parties took part in the general election, and about 176 million people at the time were eligible to vote. 85% of the voters were illiterate; therefore, the ballot papers carried symbols of all of the contesting parties. The first election resulted in the victory of the INC which won 364 out of 489 seats in the Lok Sabha.

¹ Express News Service, *PM Modi: Need deep study, discussion on 'One Nation, One Election'*, THE INDIAN EXPRESS, November 27, 2020.

Indic Legal Law Journal

In the first and second general elections in 1951-52 and 1957, the ballot method of voting was used. Under the Ballot System, each candidate at each polling station was allocated a different ballot box and the elector was allowed to drop his ballot paper into the ballot box of the candidate of his preference.

The Election Commission decided to start to use the 'marking method' of voting from the 3rd General Elections in 1962 onwards. It used a common ballot paper containing the names and election symbols of all the candidates in the contest and was intended to place a mark near the candidate's chosen symbol. After that, all the marked ballot papers were placed in a common ballot box.

The Electronic Voting Machines (EVMs) were first used in Kerala in 1982, after which they rose to prominence. EVMs were used at polling stations throughout India for the first time in the 2004 General Elections. Since then, elections have usually been held using EVMs.

Election system in India

In India, the election is conducted in three major levels:

Local Body Election- This involves the Panchayat and Municipality elections. The members of the Council shall be elected for a term of four years starting at the first meeting following the election. In the event of a by-election, the elected member shall hold office for the remainder of the term of office of the person whom he has replaced. Cities, towns and cities that do not have a ward system can, at least 180 days before the general election, pass a bylaw, increase or reduce their council's size.

State-Level Election- There is a legislature consisting of the Governor in every state. State election commissions coordinate the elections for the legislature. Based on the population, seats are allocated in every state. MLAs are entrusted with the powers of law-making, the enactment of legislation, grants and tax proposals and the election of the President of India. The elected members of the Legislative Assembly and members of Parliament are active in the process of electing the President of India. The new round of elections for the composition of the state legislative assembly takes place after the expiry of the term of the current assembly (5 years).

National Level Election- At the union level, elections are conducted to elect Member of Parliament, which is known as Lok Sabha elections. For Lok Sabha election, the whole country

Indic Legal Law Journal

is divided into 543 constituencies and each constituency elects one representative as a Member of Parliament (MP).

What does one nation one election mean?

At its heart, this idea envisages a system where elections for all state assemblies and the Lok Sabha (House of People) will have to be held simultaneously and there will be a single list of voters for all the polls. In order to establish this idea, legislators will have to restructure the laws related to elections, along with that, the government would restructure the Indian election cycle.

Background of the constitution

In India, simultaneous elections are not a new phenomenon. India began its first election cycle for the House of People and State Assemblies in 1951-52. Until 1967, it remained the standard. A problem was raised with the system of simultaneous elections due to the dissolution of some Legislative Assemblies in 1968 and 1969. In reality, the Lok Sabha dissolved in December 1970. Since then, the State Assemblies and National elections have therefore been held separately.

In 1983, the idea of returning to simultaneous polls came back again and was supported in the annual report of the Election Commission. In 1999, the Law Commission also made reference to the same article. There have been several debates and discussions on this subject in the past decade. In fact, simultaneous elections as a system was proposed in the 2014 Lok Sabha polls in the Bhartiya Janata Party manifesto.

The idea of bringing this idea back and reintroducing it to Indian Politics was proposed by PM Narendra Modi in 2016. Instead, Niti Aayog prepared a working paper for the following January 2017. In April 2018, another working paper by the Law Commission of India reported that at least 'five Constitutional Recommendations' are required to reintroduce this scheme. However, to date, a final decision on the holding of parallel elections has yet to be taken.

Recommendations by the Law Commission

1. The leader of the majority party be elected as PM or the CM by the entire House (Lok Sabha or Assembly) for stability

Indic Legal Law Journal

2. In case a government falls mid-term, the term of the new government would be for the remaining period only
3. A no-confidence motion against the government should be followed by a confidence motion

Amendment needed in the Indian Constitution

- Article 83²- Duration of Houses of Parliament.
- Article 172³- Duration of State Legislatures.
- Article 174⁴- Sessions of the State Legislature, prorogation and dissolution
- Article 356⁵- President's Rule in the state.

The representation of People Act, 1951

The Representation of People Act, 1951 needs to be amended for the stability of tenure for both parliament and assemblies. The Amendment should include the following-

- i. Restructuring the powers and functions of the ECI TO facilitate procedures required for simultaneous elections
- ii. A definition of "simultaneous elections" can be added to Section 2 of the 1951 Act⁶.

Advantages

Cost-effective: A lot of money and energy is used in India due to regular elections, often placing a burden on the exchequer of the government. If India adopts the "one nation, one election" scheme, it will help save a massive amount of money. Around 5 states go to the polls each year. The maximum spending cap is ~28 lacs for larger assemblies. This means that the overall cost will be around 11 billion if all states & UTs go for one-time elections.

Time-Saving: Every year, conducting elections is a mammoth, complex and time-consuming process. The Election Commission of India requires the assistance of a large number of polling officials and the armed forces to ensure smooth, peaceful, and impartial polling. Elections at

² INDIA CONST. art. 83.

³ INDIA CONST. art. 172.

⁴ INDIA CONST. art. 174.

⁵ INDIA CONST. art. 356.

⁶ The Representation of People Act, 1951, No. 43, Acts of Parliament, 1951 (India).

Indic Legal Law Journal

one time would save a lot of time. It will also ensure that the security forces working in the electoral booths are used better.

Speedy Development Work: As an implication of the Model Code of Conduct, which is a collection of rules that specifies certain do's and don'ts that political parties, contesting candidates, have to strictly abide by parties in power during the election process. It notes that the inauguration of new ventures must not take place during the election cycle. For this reason, many social services are delayed and suspended each year, which has an effect on normal governance.

Check on Black Money: It has been indicated in many parliamentary and CBI studies, along with EC reports, that a significant amount of black money is transformed into white money during elections in the country.⁷ Consequently, if elections are held periodically during the year, then there is always a possibility that this country will have a parallel economy. A one-time election would effectively remove a situation like this.

Challenges-

Synchronisation- Synchronising elections all over the country at the same time will be a major problem in the hands of the Election Commission considering the existing pattern of elections that the country follows. The Indian Constitution and allied statutes have to go through major amendments to make it a reality.

Fall of the Government- Another major challenge is in the fall of the government. In India, the government is accountable to the Lower House (Lok Sabha) and it may so happen that the government falls before completing its term. In those cases, an election has to be conducted on an immediate basis.

Opposing opinions- India is characterized by the existence of several national as well as regional political parties with a lot of different opinions. It will be therefore difficult to convince them all and unite them.

⁷ ET Bureau, Electoral bonds an instrument to convert black money into white, THE ECONOMIC TIMES, March 26, 2018.

Indic Legal Law Journal

Need of equipment to conduct election- The requirements for electronic voting machines (EVMs) and the Voter Verified Paper Audit Trails (VVPATs) will double to hold simultaneous elections, as the ECI has to have two sets of (one for election to the Legislative Assembly and second for that to the Lok Sabha).⁸

Conclusion

It is therefore clear that the existing election system is a whole year affair. As tedious as it sounds, it is very difficult for not only the EC but also the general public to keep pace with so many elections throughout the year. To transition to the "One Nation, One Election" model, India will have to undergo several institutional changes that will take a long time to complete. Given the country's current political scenario, this move, while very appealing in principle, would be difficult to enforce in practice.

⁸ *PM on one nation, one election*, Drishti IAS, <https://www.drishtias.com/printpdf/pm-on-one-nation-one-election> (last visited Dec. 24, 2020).