Application and Challenges to The Concept Of One Nation- One Election In India

Dr. Arun Kumar Singh[1], Dr. Upendra Grewal[2]

Assistant Professor
School Of Law, IFTM University, Moradabad

Abstract
In India, elections are a huge, joyous occasion. However, frequent elections often destabilize governance, drain the budget, and foster populist competition. In order for politicians to make decisions, they must constantly be in campaign mode. Everything in government is placed on hold until the model code of conduct is in effect for each election cycle. For months at a time, the majority of the bureaucracy is consumed with election administration due to increasingly staggered polls and extended election timetables. Because of our poverty and the desperation of political parties to win elections at all costs, there is always a tendency to play to the crowds and waste resources on short-term, unproductive freebies at the expense of infrastructure, high-quality education and healthcare, and policies that create jobs, increase income, and reduce poverty. Regular, predictable national election schedules and simultaneous national polls for all levels of government – national, state, and local – would help improve governance for all of the foregoing reasons. Bye elections, which are just as disruptive to government as general elections, should be eliminated in favor of a single national election that includes a system for filling in for any seats that go empty.

Keywords: Elections, Nation, NITI Aayog, Governance, Politics

Introduction

> *"Once we decide we have to do something; we can go miles ahead."*

> -Narendra Modi

Elections and politics serve four purposes in a democracy. First, they must encourage the brightest minds to serve. The best public office candidates must be electable through ethical means. Parties should clearly communicate their programs and priorities to voters. Powerful people must be able to do their jobs and fulfill their responsibilities. Our democratic system can't achieve these four goals. Most elections are about power without purpose, rarely presenting clear policy alternatives, and institutional constraints make governance difficult, ineffectual, and unpleasant. The skills and strategies needed to win elections in India are frequently diametrically opposite to those needed to rule effectively and enhance public welfare.[1]

One-election-for-the-world will only work with other reforms. Simultaneous voting can improve the electoral system, make the best candidate electable without vote-buying or giveaways, maintain government stability and competency, and change politics. There are ways to improve governance and hold simultaneous elections. Even if national, state, and municipal elections are held simultaneously, states may need midterm elections in the future. To hold all elections at once will take time and money. After a massive

---

[1]Purohit, A. (2016). "A Study of Elections in India: Scientific and Political Review."

effort, staggered voting would be unhelpful. If there is political unity, a fixed term for Parliament, Lok Sabha elections every five years, and stable national administration are achievable. The Lok Sabha can complete its term without being dissolved by adopting the UK's Fixed-term Parliaments Act, 2011. Dissolution is only invoked if two-thirds of the House agree, a no-confidence motion can be reversed within 14 days, and no new government can be confirmed. Only a majority-supported government can bring down a government in the House of Representatives, per Article 67 of the German Constitution.[2]

Under our existing parliamentary executive arrangement, the government can only function with House majority backing. Given India's complexity and the different circumstances and issues in different regions, a long-term legislative term in all states seems unrealistic.

Political unrest, local lawlessness, a state's constitutional crisis, secessionist tendencies in isolated areas, and other unforeseeable events could force early dissolution of the Assembly and new elections midterm. With the Westminster form in a federal government, simultaneous Lok Sabha and State Assembly elections are nearly impossible. Even after a large one-time constitutional reengineering and creating consensus, long-term simultaneous elections in all states and the Lok Sabha may not be viable. We'll soon have staggered elections, and all our labor will be for naught if we keep it up.

Literature Review

1. "Voting online from home without any corruption will soon be the norm, and individuals will be able to exercise their right to vote without leaving their homes. However, voters must have a valid basis to believe that their intentions have been accurately read and recorded, as well as that their ballots have been appropriately tallied. Future goals for electronic voting should include strengthening our capacity and expanding our understanding of every aspect of cyber security." [EV, 2013]

2. "Election studies are a specific sub-genre of studies on democracy that emphasizes, so to speak, the 'mechanics' rather than the 'substance' of representative democracy. Election studies are here defined as scholarly work focusing on the major phases of the electoral process, i.e., the campaign, the vote, the announcement of results, and subsequent government formation. This critical survey of the literature on Indian elections since the 1980s focuses on the special consequences of this sub-genre, which is considerably more visible than other studies of representative democracy and has repercussions both in the academic and political spheres. The paper makes the case that election studies actually straddle the line between science and politics, and that it is crucial to contextualize them as a result." ["Studying Elections in India: Scientific and Political Debates"; by Stéphanie Tawa Lama-Rewal]

3. "This literature review emphasizes how the various approaches complement one another and are equally vital because elections are a complex, multi-dimensional social and political event that can only be portrayed through a number of methodologies. Although survey research has predominated Indian election studies, at least at the national and state levels, since the 1990s, the Lokniti-based initiative of 'Comparative Electoral Ethnography' might help to restore some balance between different forms of studies. Additionally, there appears to be a convergence in academic discussions about the implications and limitations of election studies from a scientific and political perspective: while questionnaire-based studies advance toward a more nuanced understanding of the beliefs and values of Indian voters, anthropological studies work to overcome the drawbacks of fieldwork based in a single, constrained region." [AlpeshPurohit, "A Study of Elections in India: Scientific and Political Review"]

---

[2]Basu, K. (2008). "The Enigma of India. *Journal of Economic Literature"*, *46*(2), 396-406.

Hypothesis

Studies of Indian national elections, the largest electoral exercise in the world since the first national elections in 1952, are expected to be difficult given the size of the country and its people. In addition, the diversity of Indian society in terms of ethnicity, language, and religion, as well as the federal structure of the Indian state, make this an especially difficult event to understand.

Objective

The objective of this paper is to duly research and understand the concept of one nation- one election in India. It focuses on the following:

- Understanding the meaning and definition of one nation- One election

- Understanding the history of the same

- Understanding the constitutional changes needed for it.

Research Methodology

The contents for the present paper have been included after following the analytical research. After reading enough number of papers, based on this topic, and analyzing the contents of those papers, and weighing the important topics, this paper is been put together and prepared. The research in this paper is secondary research, based on research available on internet

"One Nation- One Election" definition:

Elections to the Lok Sabha and state legislatures in India are held on the same day under the concept of "One Nation-One Election," or "One Day, One Election." People cast their ballots for members of the State Assembly and Lok Sabha on one day in such a scenario, which is commonplace. The simultaneous election does not indicate that the elections for State Assemblies and Lok-Sabhamust would be held on the same day across the entire nation. As part of a phased strategy, itis cast their votes for the Lok Sabha and State Assembly on the same day in accordance with the existing practice of each individual constituency. Recent days have seen a rise in the popularity of the idea of 'One Nation-One Election' in the United States.[3] So, the question here is, what does this term mean? Elections for both the State Legislatures and the LokSabha will be held simultaneously as part of the 'One Nation-One Election' concept. The current Indian Prime Minister, revered Shri Narendra Modi, is one of its most vocal supporters. In addition to President Shri Ram NathKovind and former President, Shri Pranab Mukherjee, this idea has gained support.

History of Implementation in Foreign Countries

Several factors contribute to this system's success, including the fact that there are fewer elections and fewer likelihood of voting irregularities. This method's global popularity has been bolstered greatly by the reasons cited. Democracy-stricken nations intrigued by the concept after weighing the advantages. This framework has been embraced by certain countries as part of their Constitution, while others have welcomed this framework after making minor changes to their current voting procedures. Elections are held in multiple nations at the same time. Countries like Sweden, Indonesia, South Africa and Germany are using the framework to conduct their elections, as well as other countries.[4]

---

[3] Kumar, B. M. (2018). "One Election, Two Votes: The Feasibility of Reviving the Past Trend." *GNLU L. Rev.*, *5*, 139.

[4] Packel, D. (2008). "Electoral institutions and local government accountability: A literature review." *Social Development Working Paper*, *111*.

Historical backdrop of India:

"Simultaneous elections" are nothing new in the most democratic country on the planet. This method was common in India until the Indian Constitution's current election laws were changed. After separate elections for amendments, the legislatures were dissolved in 1968, 1969, and 1970. Rethinking "One Nation-One Election" was first proposed in 1983 by the election commission. Even though it was highlighted in the Law Commission's report, the BJP's inclusion of it in its 2014 manifesto accelerated its consideration. Before 1967, these were the norm. In December 1970, the Lok Sabha was held separately from the Legislative Assembly, which was held in 1968 and 1969. In July 1969, a new set of elections in Kerala broke the cycle. Article 356 was invoked by the current Indian Prime Minister, Shri Jawaharlal Nehru, to dissolve the government of the Communist EMSN.[5] Shri Narendra Modi again presented this constitutional framework and urged the NITI Aayog to create some natural remedies to reduce the impacts and speed up the implementation process for the same. A working paper was therefore created in 2017 by NITI Ayog on the subject. The Law Commission's subsequent working paper outlined several positive aspects and made certain recommendations. These suggestions are necessary if this law is to be put into action.

Needed Constitutional Amendments:

Consensus among all political parties is required for the "One Nation-One Election" to begin, but constitutional reforms are needed to bring simultaneous elections into the spotlight. The following would fall under this category:

• Amendment to Article 83: period of the Parliament Houses

• Amendment to Article 85: dissolution of the Lok Sabha by the President

• Amendment to Article 172: period of State legislatures

• Amendment to Article 174: dissolution of State assemblies

• Amendment to Article 356: President's rule in the State

• The Representation of the People Act Amendment, 1951

Adopting simultaneous elections faces its first barrier in deciding whether to lengthen or cut Assembly party terms. The Indian Constitution has two clauses governing legislature terms. Our foundation documents give these parties a 5-year existence "unless sooner abolished" by state governors and President Obama. Lok Sabha introduces Private Member's Bill to amend Articles 356, 83, and 172. The Council of States has introduced a Constitutional Amendment Bill to study the viability of holding elections in two places at once. Articles 83 and 172 of the Constitution were amended. The above changes are necessary to hold House and state legislative elections simultaneously. "Unless sooner dissolved" enables voluntary termination, but only a Constitutional amendment can restore a term's original duration.[6] No provision in the Constitution extends State Assembly terms. Article 356 gives the President authority of a state if its constitutional apparatus fails. This framework can synchronize elections, but it requires Constitutional modifications. In a similar vein, the article can be changed to allow State Legislative Assemblies to synchronize elections as desired. The 1951 "Representation of the People Act," which oversees poll announcements to state legislatures and the House

---

[5]Neyazi, T. A., & Schroeder, R. (2021). "Was the 2019 Indian Election won by Digital media? *The Communication Review*", *24*(2), 87-106.

[6] Fiorina, M. P., & Abrams, S. J. (2008). "Political polarization in the American public". *ANNUAL REVIEW OF POLITICAL SCIENCE-PALO ALTO-*, *11*, 563.

of People, needs a one-time, if not permanent, revision. Using simultaneous elections requires weighing multiple factors. This concept proposes holding all elections in the same year at once.[7]

Application and Challenges to the ONOE

Unlike other views and concepts ONOE has also the two phases. There is one positive and other negative side. In the following heads there are both the faces of the concept which can be discussed as follows:

Applicability of ONOE

- **Vigilance of Black Money**

During the election time political parties tries to bribe public by gifts or money. In result to this lots of money in the form of black money is being transacted. In one-time election the vigilance of such activities can be done more smoothly with strict action.

- **Increasing Government Treasury**

This form of election will surely work at a time for all elections. So, the resources in the form of humans and finance will be utilized once. The arrangement once made shall be beneficial to conserve the treasure.

- **Effective Governance**

Awareness of people has resulted into good voting rate in last decade. Public clearly understand the value of each level of government system. Either it is an election of Lok Sabha or Vidhan Sabha or Local Bodies result is not every time predictable. Public cast vote only those candidates who is relatively eligible and responsible towards the society. For example- in Delhi in Vidhan Sabha election 'AAP' dominated even BJP was ruling party in the Centre. But on rhe other hand in Lok Sabha election BJP won all the seats.

So, it is not going to effect governance negatively, the government will be working as normal as it is.

- **Security Forces**

The concept of One Nation One Election is also going to provide some relief to security forces. Because ONOE held once, will engege security personnel once to this task. Multiple times election and elections held in quick frequency always creates disturbance to the security forces. This also distract them evey time in election to take the charge with new strategy. This will also result in maintaining peace and order in remaining time.

- **Help Sustainable development**

As it is known that sustainable development is the overall development which includes social, economic and environmental development equally. This overall development can help to develop a nation and it also helps to improve nation's ranking in various global indexs. One time election schedule will save much time and the remaining time wolud be utilised by the governmental bodies to Focus over all-round development.

Challenges:

- **Domination of National Parties**

Although in India people are aware of their rights and liabilities of voting. Public is quite good to understand the difference between multilevel of election system. But beside this there is enough possibility that some national political parties can trick their dominance. Their dominance attitude will surely affect local parties. This dominant behaviour would amount facing menace of their existence.

---

[7] Heath, A., Fisher, S., & Smith, S. (2005). "The globalization of public opinion research." *ANNUAL REVIEW OF POLITICAL SCIENCE-PALO ALTO-*, *8*, 297.

- **Huge Amount of Resources Needed**

One face of this concept is good enough to complete the election event altogether, on the other hand it is a big task to organize huge amount of resources. These resources may be human and machinery both. In present scenario elections are held on sevral dates, distinct State and distinct level. Due to such differences human resource and machinery is replaced from one place to another. But election at once would definitely create a big blow to this situation.

- **Delay in Election Results**

It seems to be a very negligible challenge but in the discussion it seems to be included. Election at such a large platform will also end into result in more time. It is sure that such a huge even will be finished with its result and that result will take some more time than the actual. It is surely a challenge to the ONOE concept.

- **Sudden Cost Burden**

ONOE is a great concept to execute the election. Being a time saver on one side, and on the other side there is a big expenditure in a fist. Several arrangements, technical resources, machinery resources, human resources and other resources in one time exoense is a sudden cost burden to the government treasury. It is a challenge which can be possible while preparing such schedule of election.

Current Scenario

Report of High-Level Committee on "One Nation, One Election: Simultaneous Elections at the Heart of Aspirational India" is submitted.

The Hon'ble President of India, ShrimatiDroupadiMurmu, received a report from the High Level Committee on Simultaneous Elections, which was chaired by the previous president of India, Shri Ram NathKovind. The report, which is 18,626 pages long and was created after 191 days of intensive research effort and stakeholder and expert interaction after the report's formation on September 2, 2023.[8]

The other members of the Committee wereDr.Subhash C. Kashyap, the former Secretary General of the Lok Sabha; Shri Harish Salve, a senior advocate; and Shri Sanjay Kothari, the former Chief Vigilance Commissioner. Shri Amit Shah, the Union Minister of Home Affairs and Minister of Cooperation; and Shri Ghulam Nabi Azad, the former Leader of Opposition in the Rajya Sabha. Dr.Niten Chandra was the HLC Secretary, while Shri Arjun Ram Meghwal, Minister of State (Independent Charge), Ministry of Law and Justice, was a Special Invitee.

To learn about the perspectives of many stakeholders, the Committee conducted in-depth discussions. Thirty-two of the 47 political parties that submitted ideas and opinions favoured simultaneous elections. On this issue, the HLC held lengthy conversations with a number of political groups. 21,558 comments from Indian residents were sent in response to a public notice that was placed in newspapers across all States and Union territories. Eighty percent of those surveyed were in favor of concurrent elections. The Committee invited legal experts for in-person discussions, including the Chairman of the Law Commission of India, four former Chief Justices of India, twelve former Chief Justices of significant High Courts, four former Chief Election Commissioners of India, and eight State Election Commissioners. The Indian Election Commission's opinions were also requested.

---

[8]Amar Ujala, 2 sep 2023,P.No. 16

To hear their opinions on the potential effects of asynchronous elections on the economy, leading business associations such as the CII, FICCI, ASSOCHAM, and prominent economists were also interviewed. Because asynchronous elections exacerbate inflation and slow down the economy, they argued that simultaneous elections are economically necessary. These bodies informed the Committee on the negative effects of sporadic elections on social cohesion, public spending quality, economic development, and educational outcomes, among other things.

Upon thorough evaluation of all proposals and points of view, the Committee suggests a two-phase process that will result in the simultaneous elections. Elections for the State Legislative Assemblies and the House of the People will be held simultaneously as a first step. The second phase will involve timing municipal and panchayat elections to coincide with those of the House of People and the State Legislative Assemblies. This will ensure that municipal and panchayat elections take place no later than 100 days after the House of People and the State Legislative Assemblies.

As part of its mandate to investigate the mechanism for simultaneous elections, and taking into consideration the current framework of the Constitution, the Committee has formulated recommendations that are both in line with the spirit and minimally alter the Constitution of India.

Conclusion

Federalism is essential to India's Constitution. India has numerous levels of governance, including state, local, municipal, and panchayat. No one individual controls everything. A national election is a powerful idea. Its impact on the Indian federal system must be considered. Our modern political culture is so complicated and diverse that sub-national identities have been eliminated.India,that is Bharat, a country with unique cultures, traditions, languages, culinary tastes, and regional resources. Each state's concerns are distinct and critical, thus we must be careful while implementing One Nation One Election so our faith in federal structure and democracy remains intact. We can do anything if we have strong moral standards. Shri Narendra Modi, India's prime minister, has pushed this notion vigorously, with a desire to execute it through public debate and legal procedure.Also, the Hon'ble President of India Smt. DraupadiMurmu constituted a high level committee on simultaneous elections under the chairmanship of former President Shri Ram NathKovind which submitted its report. Our democratic system will be reinforced and serve as a model for other countries.The Kovind report will definitely strengthen our democratic system and serve as a model for other countries. It will also respect the framework of the Constitution. There should be a change in thinking and behavior.

Bibliography

1. ChanchalChauhan,3 years of NarendraModi Government: Top 34 quotes of Prime MinisterAvailable athttps://www.india.com/news/india/3-of-narendra-modi-government-itititdesirestabilityresolution-top-34-quotes-of-prime-minister-2167583
2. Sahni, Megha. Legal Service India. One Nation-One Election The Law And The Politics (2019). Available at: http://www.legalserviceindia.com/legal/article-266-one-nation-one-electionthe-law-and-the-politics.html
3. Anderson, M.L. (2000). "Practicing democracy: Elections and political culture in Imperial Germany". Princeton University Press
4. Department of Legal Affairs. (2018)."Simultaneous Elections Report".Available at: http://www.lawcommissionofindia.nic.in/reports/Simultaneous_Elections.pdf.
5. Debroy, B., NITI Aayogmembers&Desai, K., NITI AayogOfficer on special duty."Analysis of Simultaneous Elections", pp. 8

6. MeghaSahni,."One Nation-One ElectionThe Law And The Politics." (2019) Available at: http://www.legalserviceindia.com/legal/article-266-one-nation-one-election-the-law-andthe-politics.html
7. Nooruddin, I., &Chhibber, P. (2008). "Unstable politics: fiscal space and electoral volatility in the Indian States". Comparative Political Studies, 1069-1091
8. https://www.thehindu.com/news/national/watch-one-nation-one-election-what-did-the-panel-recommend/article67953798.ece