

ONE NATION, ONE ELECTION: A NEED OR A POLITICAL STRATEGY

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INTRODUCTION

Elections are considered as the backbone of Democracy and India being the “World’s largest democratic country” has to go through the long electoral procedure at regular intervals. From local elections to presidential polls, it has to uphold the democratic principles by conducting free and fair elections. Merely by conducting elections regularly does not prove that we have an effective democracy. Democracy means and includes continuity, consistency and Good governance. To achieve this, we conduct Elections but most of our time get occupied in different kinds of Elections like Vidhan Sabha elections, municipal elections, Panchayat elections, and Zilla Parishad elections throughout the year. It results in wasting a lot of money and time which can be used for developmental work. A system must be evolved where a fixed period of five years should be given to the particular government to focus on Governance rather than focusing on conducting Elections. Simultaneous polls are required to ensure an effective Democracy. That means voter will cast his or her vote for all the three tiers of Government on the same day. To save and utilize our Precious time and hard earned money for the good is the main motive of “One Nation One election.” There have been various constitutional amendments in the past to strengthen the democracy, then why not this? Constitution amendment must be brought if it is in the interest of the Nation.

CURRENT STANDS OF THE POLITICAL PARTIES

The meeting was held on 7th and 8th July 2018 in Delhi where all the state parties were called to give their opinions regarding One Nation One Election¹. All the parties had different views on this issue. Some opposed this idea by saying that it will violate the provisions of the Constitution while others who supported the idea said that it will be difficult to hold simultaneous polls in the year 2019.

1. Congress Party

The leader of the Congress Party P. Chidambaram termed the concept of One Nation One Election as “Election Jumla”. He says that this concept cannot be brought in India under the current constitutional provisions, it requires amendment. According to him, it is the Modi Government’s strategy to sideline the principles of a Democracy and mute the voices of the opposition party. He quoted that One Nation One tax was a Jumla and now One Nation One Election is a Jumla.

2. Samajwadi Party

The party supported this idea and even said that the system of simultaneous Elections should start from 2019 itself. “if a government falls within three years of its election, and if there is no scope of a new government forming there, then the election for the state should be held for two years so that elections could be held at time”. In the case where a coalition government is formed, then there should be an affidavit from parties taken by the president or the governor that they will not leave the coalition in the middle term of the house. They will have to work for the entire term and if they leave in between, then the speaker will have the power to end the membership of all the members of the said party.

3. Telangana Rashtra Samithi(TRS)

Telangana Chief Minister K. Chandrashekhara Rao said that party is strongly in favor of simultaneous elections as both the center and state government will be able to function effectively for five years without wasting their time in elections across the country. A huge

¹ Available at <https://www.thequint.com/news/politics/simultaneous-elections-in-india-what-political-parties-think>.

amount of public money, as well as political party's money, are spent in frequent elections so it will result in saving time and wasteful expenditure if we conduct them simultaneously.

4. All India Trinamool Congress

The party opposed the system of simultaneous elections. According to them, the concept of One Election One Nation is Prime Minister Modi's concept and it is impractical and unconstitutional. Federalism is the basic concept of the constitution so it should not be amended. The concept of constituting the house for more than five years is against the constitution Democracy and Government should be given more priority than financial issues so it should not be brought in India.

5. Communist Party of India (Marxist)

According to this party, holding simultaneous elections of Lok Sabha and legislative assembly is not a good idea as it will violate the fundamental principles of the constitution which are Democracy and Federalism. Any attempt to bring this concept would make it not only unconstitutional and but anti-democratic. Moreover, law commission is just an advisory body and has no competence to deal with the issue of simultaneous elections and so this matter should only be dealt with by the parliament of India.

6. Aam Aadmi Party

The party opines that it is a strategy to keep people away from forming the Government as the terms of houses will be extended by simultaneous polls. People will only get the right to vote only once in five years and so they will not get the chance to correct themselves if the previous government fails to impress. If simultaneous polls are followed, then it will lead India to "managed democracy". The democratic rights of the people will be curtailed and there will be the domination of money power. The party gave an illustration that in Lok Sabha elections in 2014, the party lost all the 7 seats which they contested for while in 2015, state legislative elections, the party won 67 out of 70 seats.

NEED FOR THIS CONCEPT IN INDIA

India became independent on 15th August 1947. To choose a representative body, first general elections were held in 1952. Elections for Lok Sabha and the state assemblies were held simultaneously. It continued in 1957, 1962 and 1967. This system was disrupted due to the dissolution of:

1. Haryana Legislative Assembly in 1968 and
2. Bihar and West Bengal legislative assembly in 1969 and Lok Sabha in 1970.

Hence, the concept of simultaneous elections is not new in India nor it is an idea of our Prime minister. It was there in India after the enforcement of Constitution in the post-independence period. It is raised by our Prime Minister Narendra Modi in recent times which is also supported by our President Ram Nath Kovind and former President Pranab Mukherjee. The main purpose for bringing this idea back is to save Nation's valuable resources.

Standing Parliamentary Committee brought a report in December 2015 which recommended a move towards One Nation One Election. It concluded that in order to compete with other Nations in development goal and to become a Democratic Nation, this reform is "important for India".

There are several advantages to the nation if we implement this concept of One Nation One Election. These are:

1. Saves the Country's valuable resources

A report was published by The Indian Express on 14th May 2018 which held that Karnataka Elections was one of the most expensive assembly elections². Around 10,000 Crores was spent by the party candidates and various political parties to conduct the elections in the Karnataka which is more than twice that was spent in this state in 2013. The amount which is spent in conducting state assembly elections every year in one or the other state is very high and just wasting the hard earned money of the citizens. The expenditure incurred on elections are borne

² Available at <https://indianexpress.com/elections/karnataka-assembly-elections-2018-total-expenditure-bjp-congress-jds-5176467/>.

by the government. However, no limits are there on the expenditure incurred by the political parties so they raise and spend a huge amount of money during their election campaigns.

In order to make India, a Developed Nation, we should use money efficiently rather than wasting it in unnecessary election polls. If we conduct simultaneous Elections, then the huge amount will be saved which can be used for the developmental work. Even the government will have the proper time to focus on development activities rather than focusing on elections.

2. Saves time for Developmental activities

The current election procedure engages the government in the work of conducting the elections. Hence, there term of five year ends without paying attention to other issues. This One Nation One Election is a system which will provide the government proper term of five years where they without worrying about elections, work more efficiently and bring developmental changes in the Country. They will have more time to think about the policy making for the country.

3. Better usage of Security forces

During the election times, an abundance of security forces and their equipment's are required in order to maintain the public peace and order. More frequent elections result into the deployment of security forces and so in order to save the most efficient country's resource, that is, the security forces, we have to think for One Nation One Election. Simultaneous elections will save these security forces for more important works rather than elections.

4. Affects the Policy Formation

Most of the political parties make policies at the time of elections in order to win elections. They try to focus on short-term policy making so that they can gain votes by people at the time of elections. Their main aim is to win elections rather than making policies in the interest of a nation. If there are simultaneous elections, then the elected party will be able to pay attention to long-term developmental goals required for the nation.

5. Reduction in Corruption

Most of the corruption is seen at the time of elections. Definitely, corruption will not be stopped if we bring changes in the election system, but it will be reduced if all the elections are held

together. Political parties will not spend every year doing corruption, they will try to do at the time of elections but the rate of corruption would be less compared to the previous system.

6. Strengthening Democracy

People who do not support the system of One Nation One Election says that it will affect the democracy of the nation. In fact, this idea will fulfill the conditions of a democracy as a proper five-year term will be provided to an elected government who can focus on the development of the country rather than paying attention towards the election. Democracy does not only mean to elect the government for the people and by the people. It also means that an elected government has a stable period of five years for their governance. Hence, this idea will strengthen the democracy of our country.

7. Disturbance to Normal Public Life

There are various preparations which are done before the elections. Rallies are carried out in order to ask votes from the people which result in increasing noise pollution. Traffic on the roads is increased and the difficulty is faced by the public. People sometimes feel lazy to go and vote in the frequent elections so they might not vote for one of the elections. Therefore, if we conduct all the elections together, they will definitely go and vote that day. It will surely increase the percentage of voting as well as reduce the disturbance to the public life.

LEGAL ASPECT OF THIS CONCEPT

S.K. Sharma, the Constitutional Expert says “the concept of simultaneous elections prevailed earlier too. It’s nothing new. In fact, if elections take place simultaneously, the nation stands to gain. Almost after every three months, there’s one election or the other, which has become a burden not just on financial resources but also on all those who conduct polls”³.

³ Parliamentary standing committee report. Available at <https://indianexpress.com/elections/karnataka-assembly-elections-2018-total-expenditure-bjp-congress-jds-5176467/>.

Law Commission of India on 30th August 2018 mentioned in its report that it's time to go back to the system of simultaneous polls for the greater interest of Nation⁴.

The parties who do not support the idea of One Nation One Election says that it will violate the provisions of the constitution. Even law commission of India while supporting the idea of simultaneous election suggested that this system cannot be brought as per the present constitutional framework so it requires constitutional amendments.

The commission has put forward different methods in order to introduce the concept of simultaneous elections in India. These are:

1. Method of Synchronization of State Assemblies Elections with Lok Sabha Elections

There are various steps which need to be followed in order to implement this method. These are:

Step 1: Elections of Andhra Pradesh, Odisha, Arunachal Pradesh, Sikkim and Telangana stand synchronized as they are getting due with Lok Sabha Elections.

Step 2: Elections of Haryana, Maharashtra, NCT of Delhi, Jharkhand can also be synchronized with Lok Sabha Elections in 2019 subject to the consent of these states according to Article 172(1) of Constitution of India⁵.

Step 3: The term of Extension for 6 months is required for the other 4 states which are Chhattisgarh, Mizoram, Madhya Pradesh and, Rajasthan in order to get them synchronized with Lok Sabha Elections in 2019. This will require amendment in the Article 172 of Indian Constitution.

⁴ Draft Report on One Nation One Election by law commission available at http://www.lawcommissionofindia.nic.in/reports/Simultaneous_Elections.pdf.

⁵ Duration of State Legislatures

(1) Every Legislative Assembly of every State, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the Assembly: Provided that the said period may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

Step 4: Remaining states and Puducherry will hold simultaneous Elections at the end of 2021 because it will be exactly the half term of the 17th Lok Sabha Elections. The term of these states will be for 30 months. As a result, in 2024 all the elections will come together.

2. Method of keeping Elections twice in a period of five years

If synchronization of all the state assembly elections with Lok Sabha proves to be difficult to implement, then we can move to this option. At least frequent elections can be reduced to elections twice in 5 years, resulting in less wastage of expenditure and time. Steps to be followed in this method are:

Step 1: 12 state assembly elections to be synchronized with 2019 elections.

Step 2: Elections for the remaining states to be held together at the end of 2021. That means instead of conducting elections once in 5 years, they will be held twice in 5 years and the cycle will be repeated.

Step 3: This will require amendment in Article 172 or addition of certain clauses which will talk about curtailment or extension of the term of state assemblies.

3. All the Elections taking place in one calendar year should be held together.

If for any reason, even after using method 1 or method 2, it is not possible to conduct simultaneous elections, then we can move to this option.

Step 1: The elections which are getting due in one calendar year should be conducted on the same day. The part of the year should be chosen which is helpful for all the state legislatures.

Step 2: Even this option requires amendment in Article 85(1) and 174(1) of the Indian constitution.

PROBLEMS AND THEIR SOLUTIONS

In a progressive country change is constant and inevitable; so are problems. We cannot bring a change without facing any problems. If we will always run after the problems to every legal issue, we won't be able to bring any changes to our country which is an essential requirement

to strengthen our Democracy. So we will have to find the solutions with the problems which will be faced by our country if we bring the system of One Nation One Election in our country.

1. Constitutional Amendments

Constitution of India is known as the supreme law of our country. Thinking about bringing amendments to the constitution is a very debatable issue. Various amendments are required in order to conduct simultaneous elections in India. Article 83(2)⁶ and Article 172 of the constitution of India deals with the term of the house of people and state assemblies which prescribes that a fixed period of five years is to be completed by the house of people and state assembly. Article 356 empowers that it can be dissolved Sooner or extended for a limited period of time by the president at the time of the proclamation of emergency⁷. So in order to extend or reduce the term of elections in some states in order to conduct elections with Lok Sabha, there is a requirement for the amendment. It is not so easy to bring amendments to the constitution.

Solution: The president has special powers to call a joint session of Indian parliament or he can also call a parliament on the advice of the Prime Minister and in that session amendments in the constitution can be made.

2. Block the state issues

The parties who do not support the idea of simultaneous elections are of the view that national parties will be at the advantage over state parties and so National issues will be given much importance than state issues. The Centralized agenda would prevail over state agenda. It will be difficult for the individual parties of the state to highlight the state issues before the citizens as citizens of the country will be busy with the national issues.

⁶ The House of the People, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the House: Provided that the said period may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year as a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

⁷ INDIA COST. art. 356.

Solution: It solely depends upon the seriousness of the issue and its effect upon the citizens of our nation. Whether it is a state issue or a national issue, people will focus on the issue by looking at its seriousness and not by looking at the level in which the issue is.

3. Unfair to regional parties

There is a possibility that similar government may come at the center and the state which has already been happened at the time of elections in 1952, 1957 and 1962 as the voter will prefer to give votes for the same party. Hence, National parties will get the majority votes and regional parties will be left out. Moreover, the consent of the regional parties is required in order to bring this concept to India which is a very difficult task.

Solution: The suggestion regarding this issue is that if the regional parties are properly dealing with the local issues from time to time, then votes will not be carried away by the national parties. So they will have to win the hearts of the people by their work and not by their speech. If for many years, they have not worked properly, then they might have to lose. At that time, they cannot blame the simultaneous elections.

4. Anti-democratic

Some parties like All India Trinamool Congress and Aam Aadmi Party says that this concept affects the basic principle of the constitution that is the democracy. The democratic structure would be affected as National parties would get the benefit at the cost of the regional parties. Democracy will change into autocracy and dictatorship. For Ex: in North Korea, Kim Jong is a dictator.

Solution: The main aim to bring the concept of the simultaneous elections is to strengthen the democracy of our country. Democracy not only means to elect our representative. It says that the elected representative should provide proper governance for the sufficient period and it can be possible only if we implement this concept in India.

5. Lack of paramilitary force

Paramilitary force is required in each and every elections as police forces cannot control the situations at the time of elections. We do not have enough paramilitary forces for the protection

of every state at the same time. Therefore, it will become very difficult to maintain peace at the time of elections.

Solution: There must be a recruitment for the paramilitary forces and for the purpose of elections, we can keep those military students who are aspiring to join paramilitary forces. They shall be kept on duty for election purpose as the para military forces. It will help to build their potential as well as protecting the state.

CONCLUSION

India is a world's largest democratic country and has a population of more than 130 Crores. In order to think about the citizens as well as the democracy of our country and in order to save money and utilize time for the nation and strengthen the democracy, the idea of One Nation One Election has to be brought in India. Time has come to bring a change in our country. We cannot follow the same old system of elections forever. We together have to find solutions for the problems associated with the simultaneous elections. Coming out of the politics and thinking about the nation is the only option we should choose. It is the time to save money and time by conducting all the elections at once and pressurize our government to pay more attention to governance rather than paying attention to winning elections. The four pillars of Democracy that are, Legislature, Executive, Judiciary and Media should play an effective role by shaping the minds of people towards the One Nation One Election.