

Simultaneous Elections (One Nation One Election)

Brief Note on The “*What*”, the “*Why*” and
the “*How*” of Simultaneous Elections

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Background

- India is perennially in an election mode. During a normal 5-year tenure of a Lok Sabha, the country witnesses, on an average, elections to about 5-7 State Assemblies every year.
 - Add elections to Panchayats/Urban Local Bodies, bye-elections etc., the no. of elections in any given year goes up substantially.
- Such frequent electoral cycles ends up negatively impacting administrative and developmental activities in the poll bound states / regions as well as the larger governance process in general.
- Simultaneous Elections (One Nation One Election) is considered as a **potential solution** to the above problem.
- Several prominent leaders including the Hon'ble Prime Minister have supported this idea and many expert committees have examined this matter in detail in the recent past:
 - Law Commission of India – 170th report on Reform of Electoral Laws (1999);
 - Parliamentary Standing Committee on Law & Justice – 79th report (Dec 2015);
 - NITI Aayog – Analysis of Simultaneous Elections by Bibek Debroy and Kishore Desai – (Nov 2017);
 - Law Commission of India Draft report (Aug 2018);
- This brief presentation aims to outline key aspects of this topic for easy understanding of relevant issues around this topic.

Brief History and Constitutional Provisions

- The concept of simultaneous elections is not new. Elections to Lok Sabha and State Legislative Assemblies were held simultaneously every time between 1951 till 1967.
- Due to the premature dissolution of some Legislative Assemblies in 1968 and 1969, the cycle got disrupted for the first time. In 1970, Fourth Lok Sabha was itself dissolved prematurely and fresh elections held in 1971. The term of Fifth Lok Sabha was extended till 1977 under Article 352 (Emergency).
- Since then, due to many subsequent instances of dissolution of Lok Sabha and State Assemblies, the cycle of simultaneous elections has now been firmly disrupted.
- The following provisions of Constitution/Representation of People Act 1951 are relevant to this issue and may be noted:
 - Article 83(2) of the Constitution provides for a normal term of five years for Lok Sabha. Article 172 (1) provides for similar tenure for State Legislative Assembly from the date of its first sitting;
 - Both Lok Sabha and State Assemblies do not have a fixed term and can be dissolved earlier;
 - But their terms cannot be extended beyond 5 years except in emergency situation;
 - Election Commission of India is empowered to notify elections to both Lok Sabha and State Legislative Assemblies *six months* prior to the end of the normal terms of the Houses;
 - Elections to third-tier (Panchayats/Urban Municipal Bodies) are State Subject and hence under the jurisdiction of State Election Commissions.

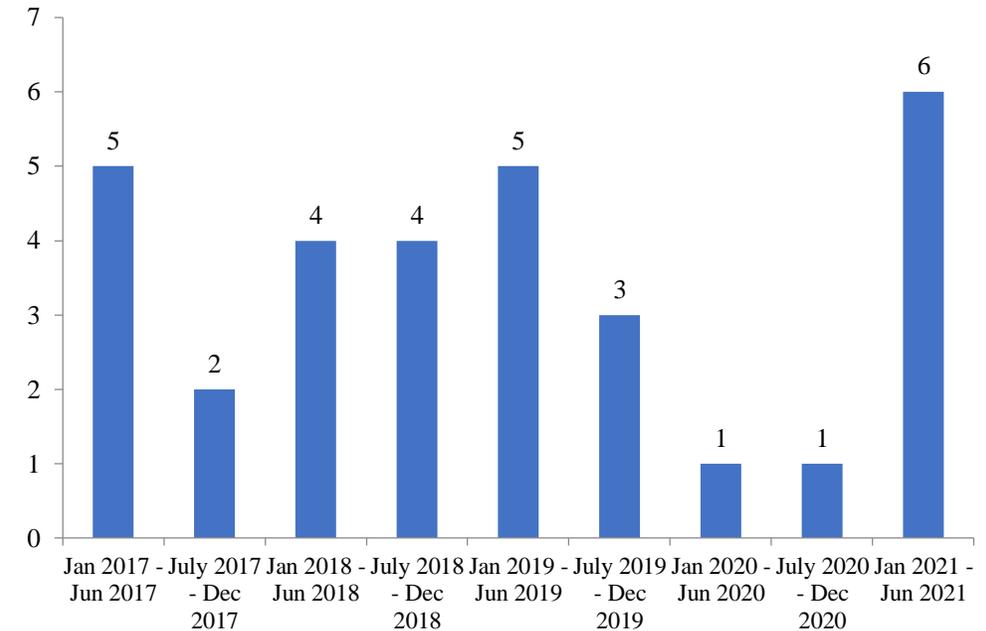
What do we mean by Simultaneous Elections?

- Normally understood to mean that Elections to all the three tiers of Government – Lok Sabha, State Assemblies (Vidhan Sabha) and Panchayats/Urban Municipal Bodies happen at the same time.
- This means that a voter casts his vote for electing members for all tiers of the Government on a single day, normally once every five years.
- Though, for logistics, elections can be conducted in a phase-wise manner nation-wide as per the existing practice provided voters in a particular constituency vote for Lok Sabha + Vidhan Sabha + Third Tier on the same day (the day polling is scheduled in his/her constituency).

Why Simultaneous Elections? (1/4)

- A. Impact on development programs and governance due to Model Code of Conduct (MCC):
 - During general elections to Lok Sabha, MCC is applicable throughout the country and during elections to Assemblies, the code is applicable in the entire State.
 - Effectively, except the routine administrative activities, other development programs, welfare schemes, capital projects etc. remain largely suspended till the time the model code is applicable and in the area it is in operation.
 - NITI Aayog's analysis shows that, assuming the average period of operation of Model Code of Conduct as 2 months for an election to a State Assembly, it would be reasonable to expect applicability of Model Code of Conduct for about **4 months or more every year** in some or other areas of the country.

No. of State Assembly Elections held in India every 6 months



Source: NITI Aayog Analysis

Why Simultaneous Elections? (2/4)

- B. Massive Recurring expenditures incurred by Government and Political Parties

- Since elections keep on happening every now and then, Government of India (bears 100% cost of Lok Sabha and 50% cost of Vidhan Sabha) and State Governments (50% cost of Vidhan Sabha elections and 100% cost of third tier) have to keep spending budgets on a recurring basis.
- The above amount, though may not be large (is of the order of INR 4000 crores for Lok Sabha and around INR 300 crores for large states like Gujarat) can still be optimized if elections are done simultaneously.
- As elections happen frequently in some State Assembly or the other, political parties particularly worry about need to keep inflow of funds and contributions continued. News reports have pegged the cost of 2019 Lok Sabha elections to a *staggering INR 60000 crores, which is almost 2X of what was spent in 2014 (unofficial estimates of money spent by candidates and parties)*.
- This whole cycle of raising and spending money in elections constantly is often blamed as one of the key drivers for *corruption and black-money in the country!* Infact, in 2019, the Election Commission seized INR 3377 crore of unaccounted cash, almost three times the amount seized in 2014 elections.

Why Simultaneous Elections? (3/4)

- C. Engagement of Government officers and security forces for prolonged durations
 - Conducting elections is a mammoth, complex and time consuming activity. The Election Commission takes help of a significant number of Government officials (teachers, other staff etc.) as well as armed forces (CAPF, state police, Home Guard etc.) to ensure smooth, peaceful and impartial polls.
 - In 2019, the Lok Sabha election process stretched for more than 75 days with the number of polling booths over 10 Lakhs. Estimates suggest that it normally requires about 10.75 Government personnel per pooling booth for elections. This means that in 2019, more than 1 Crore Government officials were involved in the process and many of them (particularly the armed forces) were involved for a long period of time.
 - Such a situation is clearly unwarranted as it takes away a portion of such armed police force which could otherwise be better deployed for other internal security purposes – the basic responsibilities for which these forces were developed for

Why Simultaneous Elections? (4/4)

- D. Impact on Policy Making and Governance

- The most visible impact of frequent elections is that Governments and political parties remain in perpetual “campaigning” mode.
- Electoral compulsions change the focus of policy making. “Short-sighted”, “populist” and “politically safe” measures are accorded higher priority over “difficult” structural reforms which may be more beneficial to the public from a longer-term perspective.
- This leads to sub-optimal governance and adversely impacts the design and delivery of public policies and developmental measures.
- *Frequent elections, therefore, crowd Government’s risk taking capabilities and incentivize it to opt safer status-quo’ist approach instead. Getting out of this “permanent election mode” is therefore a huge structural change in mindset that could potentially provide much needed space to Governments to focus on long-term transformational measures without worrying about the next impending election.*

What Critics and nay-sayers say (1/2)

- Several think tanks, political leaders and critics oppose the idea of “simultaneous elections”. The following arguments are usually given in their opposition.
- **Argument 1:** That it is politically motivated and may influence voter behavior in a manner that voters would end up voting on national issues even for state elections
 - The primary hypothesis of this criticism is that Indian voters are not mature / informed enough to differentiate between the voting choices for State Assembly or Lok Sabha in case simultaneous elections are held;
 - Critics argue that voter will vote for the same party when elections are held simultaneously in case there is a “*national wave*” in favor of some party and thus this would benefit larger national parties at the cost of other smaller and regional parties;
 - In a mature democratic set-up that India is, the mandate of voters for State Assembly elections or Lok Sabha elections held simultaneously or otherwise is generally a reflection of a range of parameters (such as organizational strength/presence of parties, perception of leaders, caste/other social dynamics, development agenda etc.) and not merely the timing.
 - For example, Delhi Elections. In 2019 Lok Sabha – it gave all 7 seats to BJP while few months later it gave a decisive almost near full majority to the incumbent party – AAP.
 - Correlating a particular parameter (simultaneous timing of elections) to explain election results would thus be over-simplifying the complexity of voting behaviors and undermining the maturing of Indian electorate as well

What Critics and nay-sayers say (2/2)

- **Argument 2:** That it is not operationally feasible / do-able. This involves the following aspects:
 - How would terms of Assemblies/Lok Sabha be synchronized for the first time?
 - Would it be feasible to extend or curtail the existing terms of some State Assemblies to facilitate the above?
 - If elections are held simultaneously, what would happen in case the ruling party or coalition loses majority in between term, either in Lok Sabha or in State assemblies?
 - Should the term of Lok Sabha and assemblies be fixed?
 - Operational challenges - Is it practically feasible for the ECI to conduct elections at such a massive scale – considering logistics, security and manpower resource requirements?
- However, there are some feasible proposals that show that it is possible to institute a system of Simultaneous Elections. For example, NITI Aayog's proposal, Election Commission of India and Law Commission (Aug 2018) proposals include a feasible model for all these questions.
- Therefore, the real issue is to bring the concerned stakeholders and political parties agree to the idea of simultaneous elections. Once there is a broad consensus, the operational aspects and feasibility is not an issue.
- The NITI Aayog proposal is briefly reproduced for ready reference.

How to implement Simultaneous Elections

- As mentioned previously, the table below briefly illustrates the NITI Aayog model on how simultaneous elections can be implemented.

Relevant Issues	Proposed solutions
Possible date of implementing simultaneous elections	May start implementation from 18 th Lok Sabha elections (2024)
How to synchronize terms of State Assemblies	<p>a. Proposed two-phase elections as the most feasible solution. Phase I (Lok Sabha + 14 States) in May-Jun 2024, Phase II (remaining States): 2.5 years later in Oct-Nov 2026</p> <p>b. Would need one-time extension or curtailment of terms of various State Assemblies based on some suggested rules / framework</p> <p>c. This will need some Constitutional and Statutory amendments</p>
Should the term of Assembly / Lok Sabha be fixed and How to ensure continuity in simultaneous elections	<p>a) Fixed term is not proposed. Instead, the relevant recommendations of Election Commission could be considered in this matter (details in NITI Aayog note).</p> <p>b) This will need some Constitutional and Statutory amendments</p>

Source: NITI Aayog Note on Simultaneous Elections by Bibek Debroy and Kishore Desai available at:

https://niti.gov.in/writereaddata/files/document_publication/Note%20on%20Simultaneous%20Elections.pdf

Concluding Remarks

- The political class is duty-bound to provide citizens a governance framework that best fits the needs of its population – a large proportion of which is young and demanding.
- The Hon'ble PM has repeatedly stated that India needs *rapid transformation, and not gradual evolution*. Unlike gradual, incremental measures, transformative measures typically involve short-term pains and hence may be politically risky and unpopular to implement. Frequent elections, crowd Government's risk-taking capabilities and incentivize it to opt the safer status-quo'ist approach instead.
- As the current system of frequent elections is making Governments lose the above focus for which it gets elected, it's imperative a structural change is brought about. Simultaneous Elections or One Nation One Election is such a structural change and it is very well feasible.
- The Constitution does provide sufficient room to make amendments to suit the changing times and needs of the country. This flexibility is not just an enabling tool but in fact a responsibility on Governments to provide the best governance systems, processes and opportunities to its citizens.
- As is the case with long-term structural reforms, implementing simultaneous elections would also cause some short-term pain. However, this would be a stepping stone towards improved governance and a larger initiation of “electoral reforms” – a measure that can re-boot the Indian polity.



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Thank you!