



- The fundamental practice & idea of simultaneous election is not new in India
- As simultaneous elections held in the country during the first four general elections i.e., 1951-52, 1957, 1962, 1967.
- Its discontinuity coincides with the end of one party dominance in the late 1960s with the rise of regional parties
- In the 1999, Law Commission report on the electoral reforms first time mentioned the desirability of simultaneous elections.
- The report emphasised that holding of the separate elections to legislative assembly should be an exception & not the rule
- During the first four general election cycles in 1952, 1957, 1962 and 1967, the elections to the Lok Sabha and State legislative assemblies were held simultaneously. However, due to the subsequent premature dissolution of the Lok Sabha on seven occasions and the premature dissolution of legislative assemblies on various occasions, the elections to the Lok Sabha and various State assemblies are held at different times
- In 2019, only four States had their assembly elections, along with the Lok Sabha
- The 79th report of Parliamentary standing committee (2015), made a compelling case for the feasibility.
- In 2016, the then minister of state, for finance & corporate affairs, tabled a statement in Lok Sabha, on holding simultaneous elections, including those in local body govts.
- In 2018, the NITI Aayog, recommended a coordinated two stage schedule for Lok Sabha & legislative assembly elections from 2024, seeking to minimise disruptions to governance due to constant campaigning (Sundarajan 2018)
- In September, 2023, the govt constituted an 8 membered high level committee led by former President Ram Nath Kovind, to assess the feasibility & desirability of simultaneous elections.
- With the govt anchoring to introduce a bill to enact this proposal, the idea of simultaneous election has triggered a serious churning in policy circles.
- The debate generated over :- the economic impact, development & governance considerations, harmonisation of electoral procedures, impact on federal architecture
- While cited the examples of concurrent election system in some developed countries, very little have said about the type of political & electoral systems existing in those countries.

- A small country like Nepal gave away their simultaneous elections after a solitary experiment in 2007 because of the logistical difficulties in holding such elections.
- It is hard to implement procedures & systems that have worked well in socio-politically homogeneous societies.
- How would simultaneous elections interact with the social variables of Indian electoral dynamics , which involve an array of social cleavages & political parties that feed on them and whether this interaction could affect India's federal balance & democratic stability ?

#### PROBLEMS WITH SIMULTANEOUS ELECTIONS

- Elections & social divisions are closely associated
- Indian electoral dynamics cannot be easily explained without reference to relevant social cleavages which vary across the regions & states
- Electoral players feed on social cleavages like – caste, religion, language & culture.
- These social cleavages remains dormant in the interval between two elections & become manifest during election campaign on different political platforms
- A study examining the changing compositions of Indian electorate between 1962 to 2016 found that, Indian voters are found to be less driven straightforward economic interest than sectarian interests & cultural priorities.(Banerjee et al 2019)
- As political campaigns are routinely focused upon the issues of identity, religion, ethnicity , the study underscores the importance of growing social cleavage in India.
- The first four lok Sabha elections, were aligned with assembly elections – this occurred before successive democratic upsurges that engaged individuals from diverse social backgrounds in active electoral processes, leading to emergence of social issues as a central feature of Indian elections (Yadav 2020)
- As previously passive social groups were mobilised on a massive scale, electoral politics underwent a significant changes , increasingly relying upon the issues of social forces.
- Identity politics has remained a recurring theme in Indian politics although since 2014 elections it remained dormant
- The most fascinating nature of India's plural polity is the cross cutting nature of its social cleavages which frequently work as a lynchpin for its democratic stability — a contrasting experience to western democratic societies that tend to view

social division as fundamentally hostile to political order.

- The operational dynamics of social divisions serves to embed the identities rather than erode them . These social divisions do not naturally undermine the democracy or cause violence, due to its cross cutting nature. (Selway 2011 ) (Stepan et al 2011).
- According to Kanchan Chandra (2005,2007), when ethnic parties are supported by institutional framework can streamline multiple ethnic parties, thereby avoiding the “outbidding effect” which is usually attributed to be a major cause of democratic instability
- The institutional structure offers deep incentives for master cleavage to intersect with & override other divisions
- Kanchan Chandra highlighted three such incentivising devices : – Policies of affirmative actions , state boundary, & language — This made Kanchan Chandra to conclude that, the institutional framework enables the cross cutting nature of social cleavage in India — prevents master cleavage – dividing people on certain issues & uniting them on others
- Chandra’s argument is broadly in agreement with the “state-nation” model proposed by Stepan et al (2011) , suggesting that, a meticulously designed institutional framework can embrace the various ethnic & cultural identities harmoniously.
- The holding of elections at national & state level separately, prevents the social divisions. For example, During Assam elections the political appeal for voters mobilisation was based on religio-ethnic combination but in case of Karnataka.
- Differential mode of elections serves to distribute or even diffuse the risk of arising from the prevalence of a dangerous social cleavage in plural society(state-nation).
- Traditional politics of some political parties relied upon, identity politics & the majoritarian rhetoric (Yadav 2023).
- Countering this strategies , other parties are relying upon the identity politics based on caste (Caste Census).
- In Sweden , national & regional elections are taken place together. But Sweden is using proportional representation system of voting.
- The “winners-takes-all” elections in India, would likely produce a majoritarian democracy if regional politics & intersecting social cleavage were not to contribute its representative character.
- The differential outcomes in Sweden are results of very basic federal segregation of powers between union & the regions.
- The regional parties have been restricting their politics to social welfare issues. Most prominently healthcare, which is a regional function in Sweden. So irrespective of the outcome of national election,

Swedish people vote among the regional that offer promises of improved healthcare facilities (Berg & Oscarsson)

- Instead issues of social welfare are tailored around the group identities owing to historical disadvantages faced by marginalised groups.
- India is more similar to Australia or Canada , where non-concurrent elections are held to preserve the autonomy of multiple levels & branches of govt.
- So electoral voting in India is much more complex to understand.
- Regional elections in Sweden or provincial elections in Africa are, considered as “second order elections” because the states are heavily centralised & these elections do not involve salient issues of public importance.
- The “One Nation, One Election” agenda goes much further than “One Nation, One Tax”, “One Nation, One Ration Card” and the like in imposing this “oneness”.
- If implemented, it will permanently increase manifold the administrative and political centralisation of power in the hands of the Union Government and correspondingly weaken the States.
- When there are elections in a few States, ‘India’ is not in an election mode; some of India’s States are. All of India’s major political parties are not in an election mode, only some are.
- The national parties with a Delhi-based high command culture such as the Congress and the BJP are the ones that may feel the pressure of constant elections because municipal or State elections held in any part of the country involve their national leadership
- Political parties & candidates may spend a lot more money on elections than the government but that is not the taxpayers’ money.
- There is economic research to suggest that such election spending by parties and candidates actually benefits the economy and the government’s tax revenues by boosting private consumption and serving as a stimulus.

#### ISSUES OF DEMOCRATIC STABILITY

- The separate mode of elections, enables voters to thoughtfully consider both national & local matters enabling them to express their preferences.
- Denying it may not only fades the articulation of critical issues but also places stress on the federal balance
- The constitutional framework has anchored federal practice in ways that accommodate competing & contesting identities as well as potential social cleavages.
- It is possible for an individual in India, to simultaneously identify as Hindu, a Gujarati & a lower socioeconomic class worker or a speaker of any specific language. These multiple but

complementary identities have paved the ways for emergence of a “holding together federalism” (Stepan et al 2011)

- Proposal of simultaneous elections is seen as being detrimental to federalism & multilevel governance system that has taken decades to develop (Aiyer 2023, Hasan 2023)
- The legitimacy & effective execution of simultaneous elections will be depend on govts commitment to foster consensus.
- Persuading the regional parties for simultaneous elections will would entail them to give up their sway in the in their region.
- If state elections are crucial component of the federal edifice of the Indian state, then implementation of simultaneous elections will imply the shift towards a unitary state.
- Simultaneous election have to be seen in terms of political incentives provided to national parties for expanding their sway on state level politics
- According to Louise Tillin (2016), the alignment aimed through the proposal will serve to centralize political life & reverse the trend of last several decades which saw state politics as the preeminent arena of Indian politics.
- A study of electoral data from 6 states ( Arunachal, Maharashtra, Andhra, Sikkim, Karnataka & Odisha ) where state election coincided with the Lok Sabha elections demonstrates that, voters tended to choose the same party (Chakravarty 2006).
- Data from the first two decades after independence when simultaneous elections were held. National parties were able to consolidate their vote share at both levels , the union & the states (Kumar 2021)
- Simultaneous elections may bring incumbency advantage to to benefit the incumbent govt. While simultaneous election may increase the voters turnout. The incumbency advantage is generally considered as hindrance to the accountability (Ansolabehere & Gerber 1997)
- India is a federal country of sub-continental proportions. Various States have their own unique set of issues that are significantly different from one another.
- The Union and State governments have their respective powers and responsibilities towards the electorate as per the division of powers under the Constitution.
- Conducting elections simultaneously would result in national issues overshadowing regional and State specific issues.
- National political parties would have a significant advantage over regional parties on account of this mechanism.
- This would be detrimental to the federal spirit of our country which has been declared as a basic structure of the Constitution
- Elections also serve as an effective feedback mechanism for governments in power.
- There have been many policies that have been initiated by various Central and State governments in the past due to such electoral feedback. If elections are held only once in five years, it can affect this process.
- Apart from the federal and democratic issues discussed above, simultaneous polls will also require constitutional amendments.
- India is a parliamentary democracy where the governments at the Centre and the State need to enjoy majority in the Lok Sabha and the Legislative Assembly respectively.
- The duration of these houses is five years but it may be dissolved earlier if the party or coalition in power loses majority, and no alternative government can be formed.
- It may also be dissolved prematurely by the council of ministers in power to seek an early election.
- Further, State legislative assemblies can also be dissolved by imposing President’s rule under Article 356 of the Constitution.
- Having a fixed tenure of five years for the Lok Sabha and State assemblies will therefore require constitutional amendments to Articles 83, 85, 172 and 174 that deal with the duration and dissolution of Lok Sabha and Legislative assemblies.
- It will also require the amendment of Article 356.
- At least five Articles in the Constitution shall need amendment. These articles are Articles 83(2) and 85(2) that relate respectively to the duration and dissolution of the Lok Sabha.
- Also, on the legislative agenda would be Articles 172(1) and 174(2), which provide for the duration and dissolution of the State Assemblies.
- Article 85 (1) and 174 (2) allows the President and the Governor to dissolve the Lok Sabha and Vidhan Sabha before the completion of their tenure of five years, under the circumstances mentioned in the Constitution
- Article 83(2) allows the tenure of the Lok Sabha to be extended for one year at a time in case of an Emergency being proclaimed under Article 352.
- Article 172(1) makes a similar provision for State assemblies. These provisions would need to be repealed.
- As of now, after the passage of the anti-defection law enshrined in the 10th Schedule (52nd Amendment Act, 1985) and later the Supreme Court judgment in S.R. Bommai case (1994) followed by the High Court judgment in Rameswar Prasad (2006), the decision to dissolve the Vidhan Sabha and impose President Rule under Article 356 is subject to judicial review.
- The Court can revive the Assembly and restore the government if it does not find the grounds of the President’s rule to be constitutionally valid as has

happened in recent years in the case of Nagaland, Uttarakhand and Arunachal Pradesh.

- Moreover, such amendments need not only the two-third-majority support of both Houses of Parliament but also ratification by at least half of the State Legislatures under Article 368.
- Currently, no party has even simple majority in Rajya Sabha while the States have different parties in power, many of which are not in favour of such amendments.
- It would also be much more complex and difficult to link general elections with local bodies elections.
- This is because local government is a State subject (seventh schedule, List II) and all the State Legislatures have passed separate Panchayati Raj Acts and Municipal Acts, fixing the tenure of these bodies (five years) as per Article 243(E) and 243 (U) respectively.
- There would be a 'national constituency phenomenon' favouring polity-wide parties due to their comparative advantage in terms of their claim to better serve 'national interest/ national security/national unity' rather than regional parties who will be sidelined for focusing on 'narrow, parochial' issues.
- Simultaneous elections in a federal polity, would incentivise regional discontent.
- As far as cost saving is concerned, holding simultaneous elections would require large-scale purchase of Electronic Voting Machines (EVM) and Voter Verifiable Paper Audit Trail Machines (VVPAT).
- Moreover, biennial elections to Legislative councils/Rajya Sabha and by-elections would still be held, costing money and resources.
- Frequent elections rather than sapping the enthusiasm of voters keep them enthused, as evident in the comparatively higher percentage of voting in State and local elections.
- Frequency of elections at different layers also helps in increasing accountability as elected representatives and their parties remain on their toes.

#### WHY SIMULTANEOUS ELECTIONS?

- The desirability of simultaneous elections can be discussed from the perspectives of cost, governance, administrative convenience and social cohesion.
- Firstly, it is estimated that the cost of holding general elections to the Lok Sabha is around ₹4,000 crore for the Central government. Each State assembly election would also cost considerable amount of money according to the size of the State.
- While this is the official expenditure of the government, the expenditure by parties and candidates are manifold times higher. Simultaneous elections would entail a reduction in these costs.

- Secondly, there are at least 5-6 State elections that happen every year. This results in political parties, including Ministers, being in 'permanent campaign' mode, which acts as a hindrance to policy making and governance.
- Further, the Model Code of Conduct that is enforced during the election process ranges usually from 45-60 days where no new schemes or projects can be announced by the Centre and concerned State governments.
- Third, administrative machinery in the districts slow down during the election period with the primary focus being the conduct of elections.
- There are also paramilitary forces that are withdrawn from the locations in which they are posted and deployed to the concerned State for the smooth conduct of elections.
- Frequent elections every year have an impact on administrative efficiency.
- The high-stake elections each year in various States result in polarising campaigns by all parties in order to win the elections.
- This trend has exacerbated in the last decade with the advent of social media thereby creating and deepening the fissures in our multi-religious and multilingual country.

#### REASONS GIVEN BY THE COMMITTEE

- Holding separate elections incurs massive recurring expenditure for the State and the Central government. In case of simultaneous elections, there would only be one electoral roll for all elections and the government would need the services of security forces and civilian officials only once. This would save public money and human resources that can be put to other public causes.
- The dense electoral cycle involves prolonged deployment of security and police forces on election duty, thus posing a concern for national security and maintenance of law and order
- The administration comes under strain due to the mass-scale transfers of officials within the State, either by the government looking for pliable officers in key positions or by the order of the ECI once code of conduct comes into force.
- High-ranking officers from other States are also deputed as observers in the poll-bound State.
- There is a climate of political uncertainty, wherein officials remain perpetually in election mode.
- Holding separate elections comes in the way of development as the enforcement of the code of conduct for a longer period leads to the stoppage of ongoing development work.
- No new projects can be started during this period and even on-going projects suffer from inertia.
- Looking to reap the electoral dividend, parties in power invariably indulge in populist schemes and do not commit to long-term investment in primary sectors.



- This happens frequently, burdening the state exchequer.
- Simultaneous elections would lessen the role of money in elections as campaign finance of parties' would come down.
- The monitoring of election expenditure by the ECI will also become more effective due to a concerted effort at the national level.
- Given the increasing role of divisive politics for electoral gains, the 'one nation-one election' plan would help in reducing the pernicious role of regionalism, casteism, and communalism in mobilising electorates. It would help in bringing issues of national importance on the electoral agenda
- And finally, it is being argued that having too many elections creates a sense of fatigue among electorates. Voter turnout at the national level has stagnated in recent elections.

#### RECOMMENDATIONS OF LAW COMMISSION

- The reports of the Law Commission (1999), and the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice (2015), have dealt with the issue of simultaneous elections. The Law Commission had also submitted a draft report in 2018.
- The highlights of these discussions and recommendations can be summarised as follows
  - The elections to the Lok Sabha and nearly half of the State assemblies may be clubbed together in one cycle, while the rest of the State assembly elections can be held in another cycle after two and half years. This will require curtailing or extending the tenures of existing assemblies that will entail amendments to the Constitution and the Representation of the People Act, 1951;
- Any 'no-confidence motion' in the Lok Sabha or Legislative Assembly should be mandatorily accompanied by a 'confidence motion' for the formation of an alternate government.
- If the Lok Sabha or State Assembly is to be dissolved prematurely, the duration of the newly constituted House should be only for the remainder period of

the original House. It would instead encourage the members to explore the possibility of forming an alternate government through feasible realignments;

- The bye-elections necessitated by death, resignation or disqualification of members can be clubbed together and conducted once in a year.
- It may be noted that Parliamentary democracies like South Africa, Sweden and Germany have fixed tenures for their legislatures.
- The elections to the National Assembly and provincial legislatures happen simultaneously in South Africa every five years, with the President of the country being elected by the National Assembly.
- The Prime Minister of Sweden & the Chancellor of Germany are elected by their respective legislatures every four years.
- A lack of confidence against the German Chancellor can be moved only by electing a successor.

#### IDEAL SOLUTION

- There is a lack of consensus among various political parties about the conduct of simultaneous elections. The ideal middle ground may be to conduct the Lok Sabha election in one cycle and all State assembly elections in another cycle after two and a half years.
- The duration of the newly constituted houses being only for the remainder period in case of premature dissolution and, the clubbing of bye-elections to be held once every year may be adopted through suitable amendments.
- If all political parties are taken into confidence, this may be achieved over the next decade and continued thereafter.
- Given the complexity of the issue, likely focus is going to be on how Lok Sabha and Assembly elections can be held simultaneously. Even for that, multiple amendments would be required. Since the proposal involves Centre-State relations, judicial review of the amendment acts shall be a major block.