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One Nation One Election: An Overview

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Abstract: *The proposition of implementing "one nation one election" has sparked a contentious discussion inside the country. Nevertheless, the multifaceted and complex political landscape of our nation is a significant obstacle to implementing the system of concurrent elections. This study examines the historical and international aspects of the notion of holding elections in a country simultaneously. This study also presents the benefits and drawbacks of the notion of one country one election. In conclusion, it is necessary to implement dynamic adjustments in order to achieve consistency in this notion. The importance lies not only in elections, but also in the concept of good governance, since the impact of voting surpasses that of armed conflict.*

Key Words: Elections, Legislative Assemblies, House of People, Reforms, Election Commission, concurrent elections.

The concept of "one nation, one election" (ONOE) has been a prominent topic of discussion among all political parties in India at the current moment. The practical aims of elections and the political process in a democracy may be categorized into four distinct objectives. First and foremost, it is essential to foster and promote the most talented and exceptional individuals to pursue careers in the public sector. Furthermore, it is imperative that the candidates who possess the highest level of integrity, expertise, and dedication to the welfare of the public be able to secure their positions via ethical methods. Furthermore, political parties must provide distinct and unambiguous options to individuals on their policies and goals. Furthermore, after being elected, it is crucial that persons in positions of power has the capability to rule proficiently and fulfill the earned mandate. None of these four aims are adequately met in our democratic process¹. India has the distinction of being the most extensive democratic nation on the planet. Elections are an essential and fundamental component of politics under a democratic system of administration. The functioning of democracy relies on the premise that elections are conducted with integrity, ensuring fairness and preventing any kind of manipulation or rigging. However, due to certain factors, the democratic system is not functioning effectively, leading the general public to see flaws in the electoral process. Over time, the Indian voting system has been plagued with significant ailments. Hence, the electoral procedure in our nation is regarded as the foundation of political malfeasance. In order for an unbiased and morally honest individual who is committed to the welfare of the public to have the opportunity to compete and be chosen as a representative of the people, certain favorable circumstances must be present. However, in actuality, an individual of this kind has no opportunity to either participate in or, under any circumstances, emerge victorious in the election.

ONE NATION ONE ELECTION- One of the most popular rising concepts in India is "ONOE", which calls for a complete overhaul of the country's electoral system. The idea is becoming more and more well-liked in India as a result of the opinions expressed by several political figures for its implementation there. The concept of "ONOE" aims to schedule the Indian election cycle such that state assembly and Lok Sabha elections coincide with each other. India is the most expansive market for democratic options available, thus it is evident that Modi is India - a trend for 2019 - when UP voters, who make up 16% of the country's total population, handed a historic mandate. "ONOE", the change that Modi has been advocating for, is anticipated to be implemented quickly in response to the BJP's restored political invincibility. The prime minister, who takes great pleasure in taking risks, is expected to take the lead in implementing these reforms.²

HISTORICAL PERSPECTIVE OF "ONE NATION ONE ELECTION"- On August 15, 1947, India gained freedom from British domination. India spent around two years to draft the world's longest written Constitution (Const.), which would regulate every element of the nation. India became a republic on January 26, 1950, the day the Const. went into effect. A body that would reflect the people's wishes had to be established in order to govern the nation. In 1952, India conducted its first general elections in order to establish this representative parliament. Since there are three levels of administration in India, elections were conducted concurrently for the Lok Sabha and the state assemblies. "It's noteworthy to note that the idea of holding elections simultaneously is not new in the nation. Elections to the Lok Sabha and all State Legislative Assemblies were conducted concurrently after the Const. was adopted. This practice continued until 1967, when the cycle of synchronized elections began to lag. 1951-1952 saw the simultaneous holding of the first national elections for the Lok Sabha and the State Legislative Assemblies. During the course of the three general elections that followed in 1957,



1962, and 1967, the practice persisted. However, owing to the early dissolution of various Legislative Assemblies in 1968 and 1969, that is, Haryana Legislative Assembly in 1968, Bihar and West Bengal Legislative Assemblies in 1969, and Lok Sabha in 1970. This was the first time the cycle had been broken. The Fourth Lok Sabha was also prematurely dissolved in 1970, and new elections were conducted in 1971.³

After Mr. Modi floated the "idea once again in 2016, the Niti Aayog prepared a working paper on the subject in January 2017. In the working paper that the Law Commission brought out in April 2018 it said that at least five Constal recommendations would be required to get this off the ground. The final decision on simultaneous election is yet to be taken".⁴

CONSTITUTIONAL PROVISIONS- To execute the concept of ONOE, certain modifications must be enacted to enable the conduction of a single election for both the "Lok Sabha" and the "State Legislative Assemblies". The following sections of the Const. need amendment in order to execute this policy.

The tenure of the "House of People (Lok Sabha) and the Council of States (Rajya Sabha) is the same.⁵ The Council of States must not be dissolved, according to this article, unless one-third of its members resign as soon as the end of each second year. The conditions set out by the Parliament in this regard will apply to this dissolution. The article goes on to discuss the House of People's tenure. The House of People must remain in session for a further five years, unless dissolved sooner, according to this clause. The two chambers' terms may be extended by a maximum of one year in the event of an emergency, meaning that the Parliament is susceptible to proclamations of emergency".

Each State Legislature must be operational for a duration of 5 years, unless terminated prior to that. "The Proclamation of Emergency grants the authority to extend the term of a State Legislature for a maximum duration of one year in the event of an emergency. According to Clause 2 of the Const., the Legislative Council cannot be dissolved until one-third of its members resign at the end of every second year. The dissolution is contingent upon legislation enacted by Parliament in relation to this matter. The user's text consists of the number 6 enclosed in square brackets".⁶

The "President of India will dissolve the House of People. If the President deems it appropriate to dissolve the Lok Sabha, they have the authority to do so by issuing a proclamation and notifying the Speaker of the chamber of People of their decision to dissolve the chamber".⁷

"The Const. grants the Governor of the State the authority to dissolve the Legislative Assembly. If the Governor deems it appropriate to dissolve the State Legislature, he may issue a proclamation and notify the Speaker of the State Legislature to dissolve such assembly".⁸

If an emergency situation arises where the state is under the President's administration, the President of India has the authority to dissolve the legislative assembly before its scheduled term.⁹

The imposition of President's rule is particularly strict considering the provisions of the Anti-Defection Act, 1985. "The Supreme Court, in the case of S.R. Bommai v Union of India¹⁰, has established the standards that must be adhered to in order to implement President's Rule in a state". The instructions are as outlined:

"The dissolution of State Legislative Assembly by the President of India is subject to approval of both houses of Parliament; and the validity of proclamation of President's Rule is subject to judicial review. In case the proclamation of emergency is mala fide, the court may set aside the President's Rule and restore the original government."

According to the "Const., the Council of Ministers is obligated to be directly and collectively accountable to the House of People. The Council of Ministers obtains its legitimacy from the Legislature and continues in power as long as it maintains the trust of the Legislature. If the Lok Sabha loses confidence in the Council of Ministers, a no-confidence vote may be approved. The possibility of its downfall exists whenever a vote of non-confidence is passed in that legislative body".¹¹

"The Election Commission of India is responsible for overseeing, managing, and regulating elections for the Lok Sabha and State Legislative Councils".¹²

The "Council of Ministers is accountable to the Legislative Assembly of the State as a whole. The Council of Ministers retains its authority as long as it maintains the trust and support of the parliament. If the State Legislature loses confidence in the Council of Ministers, a no-confidence vote may be approved. The assembly may experience a downfall at any moment upon the approval of a non-confidence resolution".¹³

The Indian Const. addresses the Anti-Defection Law¹⁴. This rule prevents Members of Parliament (MPs) or Members of Legislative Assembly (MLAs) from defying a party Whip's instructions about voting on a motion. It specifically establishes the criteria for disqualifying a Member of Parliament (MP) or a Member of the Legislative Assembly (MLA). A



member is disqualified upon voluntarily relinquishing party membership to join an opposing party.

Furthermore, it would be necessary to modify the People's Representation Act of 1951 in order to include measures that ensure a secure and uninterrupted term for both the parliament and assembly.

Therefore, in order to implement the objective of ONOE', the Parliament must alter the aforementioned articles of the Const. and legislation to allow for simultaneous elections throughout India. In order to make an amendment, the Parliamentarians are required to adhere to the regulations specified in the Const. of India.¹⁵

ADVANTAGES OF "ONE NATION ONE ELECTION":¹⁶

- * The influence of illicit funds on voters would be diminished, since there would no longer be a need for repeated party financing. Consequently, this would curtail the deceptive tactics used by political parties to gather funds.
- * Casteism - The manipulation of caste-based politics tends to occur while elections are approaching.
- * Minimize costs
- * The adoption of the ONOE (One Nation One Election) idea is beneficial for Non-Resident Indians, since it allows them to vote for a deserving candidate from a political party in a single visit.
- * Simultaneous elections may serve as a method to suppress corruption and provide a more favorable socio-economic environment.
- * Rapid progress in development Optimal operation of the governmental apparatus o Efficacy of governance
- * The voting percentage increases due to the motivation of voters to participate in simultaneous elections.
- * Simultaneous elections result in time and cost savings.

DISADVANTAGES OF ONE ELECTION ONE NATION-

- * Necessity for substantial machinery and resources
- * Constitutional Challenges: The implementation of a one-time election is quite unlikely given the democratic structure of the nation.
- * Election result delay
- * States overshadowed
- * Hung assemblies
- * Coalition shift
- * Increased expenditures

INTERNATIONAL PRESEPECTIVE ON "ONE NATION ONE ELECTION"¹⁷⁻ Simultaneous elections can have a global dimension. This technique has been successfully implemented in several regions throughout the globe, with few challenges, in comparable situations.

Every five years, South Africans go to the polls to elect a new national parliament, provincial legislatures, and city councils. "Party list proportional representation" is the election system that is put into place.

In Sweden, the number of seats any political party receives is directly correlated to their vote total. Elections for both the county council and the city council take place at the same time.

Belgium has five different kinds of elections, the most common of which are the federal and European elections that take place every five years at the same time.

Indonesia will have concurrent presidential and parliamentary elections starting in 2019. They have amended their Const. by declaring some articles as unlawful and removing them.

The German Const. prohibits the removal of the chancellor only via the initiation of a no-confidence motion.

Additionally, they must reach a consensus on a suitable substitute.

Additional nations include "Bolivia, the Philippines, Brazil, Costa Rica, and Guatemala", among others. Nevertheless, all of these countries adhere to a presidential system of government, in which elections for the executive branch are conducted concurrently with parliamentary elections.

VARIOUS REPORTS- A "two-phase election schedule- one held in conjunction with Lok Sabha elections and the other during the legislature's midterm- was suggested in the 79th report of the parliamentary standing committee on Law and Justice".¹⁸

No alternative administration may be confirmed until 14 days have elapsed after the House passes a resolution of no confidence. For the Lok Sabha and state legislative assemblies to conduct early elections, this is one of the two conditions laid forth in the report. Along with that, two-thirds of the House must agree to call for a general election to be held sooner rather than later.



In order for India "to compete with other countries in the developmental agenda on a real-time basis as a strong, democratic nation, the research found that this kind of change was necessary".

In its 170th report (1999), "the Law Commission of India suggested holding simultaneous elections for the Lok Sabha and State Legislative bodies. It was proposed that elections for the legislative assemblies, whose mandates expire six months after the Lok Sabha general elections, be combined. Nonetheless, the results of these elections may be announced when the assembly's term is about to expire". The Election Commission also said that it supported the simultaneous elections in theory.

CONCLUSION- The word "simultaneous elections" should ideally suggest that there are coordinated and synchronized elections for each of the three levels of Const.al institutions. This essentially implies that votes for representatives to all levels of government are cast by voters on the same day. The greatest persons who are capable of serving as representatives of the people for effective national government must be selected if democracy is to endure.

Men with strong moral and ethical principles who win elections with a majority vote are the most likely to do this. "Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above button and also will compel the political parties to choose a sound candidate. This situation palpably tells us the dire need of negative voting," - The honorable Supreme court.¹⁹

Although the "ONOE" idea has numerous benefits, it also has a number of problems. The program will work its own magic on India's economy if the parliament can eliminate every drawback that this policy has when it is implemented there. In conclusion, the administration has not yet provided a thorough explanation of all the complexities involved in holding simultaneous elections. While forming an expert committee to investigate and examine all aspects of this complex public policy problem is a good idea, it requires careful consideration and agreement.

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