

**“ONE NATION-ONE POLL, IS IT A GOOD FOR DEMOCRATIC INDIA: AN
ANALYSIS”**

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Abstract

It was reported that, the recent assembly elections are becoming most expensive, spent Rs 9,500-10,500 crore by several political parties and their candidates in the Karnataka assembly polls in 2018, it is twice then previous assembly election of Karnataka. The present paper is aimed to discuss about the idea of “one nation and one poll”. There are clear allegations on expensive election campaign and vote purchasing by political party, security and logistics of conducting one democratic election by election commission. Hence it raising a suggestion to reform electoral structure across country, by implementing “one nation, one poll” is a reform idea the present central government is exploring to reduce election cost. The idea was coined by the Indian election commission in the year of 1983, and it was discussed by Justice B.P Jivan reddy on 1999. The theory on “one nation, one poll” has multidimensional approach focusing nation growth, simultaneously, India is a federal system, in case of political uncertainty in any state, it is notable issue to maintain “one nation, one poll”. To synchronise the duration of the state legislative assemblies with that of the central parliament (Lok saba), the duration of the state legislative assemblies can be reduced and increased consequently and for the same, constitutional amendment would be required.

Keywords: One Nation, One Poll, parliament, Indian constitution, amendment, state legislative assembly, lok sabha

Introduction

The idea of "one nation, one vote" or simultaneous elections calls for holding state assembly and Lok Sabha elections once every five years on the same day or in phases. Elections for state municipalities, by-elections, and panchayats are not included in this. A constitutional amendment will be necessary for the proposal, and it will need to be passed by fifty percent of the states. This will force all subsequent governments to carry out the provision and prevent them from leaving the process of holding elections up to political whim (Varma, 2019). Holding the Lok Sabha and state assembly elections on the same day once every five years is what is meant by the motto "One Nation, One Election." Local and state-level panchayat and by-elections are not mentioned.

Elections for the offices of President, Vice President, both houses of Parliament (Lok Sabha & Rajya Sabha), State Legislative Assemblies, and State Legislative Councils are to be supervised, directed, and controlled by the Election Commission of India (ECI) in accordance with Article 324 of the Constitution. Additionally, in 1992, the Constitution's 73rd and 74th amendments made it easier to establish State Election Commissions (SECs), which were given the authority to carry out the aforementioned functions in order to establish the third tier of government in both rural and urban areas Panchayati raj institutions, municipal bodies etc. (Election Commission of India, 2016). For the purposes of this note, "Simultaneous Elections" means organising the Indian election calendar so that elections for both the Lok Sabha and the State Assemblies occur at the same time.(Department-Related Parliamentary Standing Committee, 2015). Voters in such a situation typically cast votes for both the Lok Sabha and their state assembly on the same day (Electrol Process and Political Parties, 2014). To provide further clarification, synchronised elections do not necessarily entail that voting for both the Lok Sabha and the State Assemblies needs to take place on the same day across the entire country (Tripathi, 2019).

Objective of the Study

1. To Assess the Need for Simultaneous Elections
2. To comprehend the government's previous efforts to implement simultaneous elections
3. To explore the adaptability of the idea of 'One Nation One Poll' for the current situation

4. To Examine the Constitutional provisions for ‘One Nation, One Poll’

Materials and Methods

The current study is based on secondary data from previous expert research, orders from governments, and stakeholder opinions. Additionally, analysis was published in newspapers. The researcher used meta-analysis of the data for the study, which is of a qualitative nature.

Discussion

Historical insight of poll in India

The idea of synchronized elections came up in the first annual report of the Election Commission of India published in 1983. Simultaneous election exists in countries like Sweden, Belgium, and South Africa etc (Law Commission, 2018).

The first Lok Sabha election and all State Legislative Assemblies of independent India were held together in 1951-52 (Election in India, 1951). It continued over three succeeding general elections held in the years- 1957, 1962 and 1967. In 1952 and 1957, elections for the Lok Sabha and state legislatures were held concurrently, and the Congress initially performed well across the nation. The synchronised cycle was first disrupted in Kerala in July 1959 when the Centre used Article 356 of the Constitution to remove the Communist Party ministry led by E M S Namboodiripad, which had come to power following elections in April 1957. State elections in February 1960 followed this (Kaushal, 2019) In 1968 and 1969, a few Legislative Assemblies were prematurely dissolved, however, and this caused the sequence to initially become jumbled. The Fourth Lok Sabha was prematurely dissolved in 1970, and new elections were held in 1971. Consequently, the other elections were not held in a timely manner after the First, Second, and Third Lok Sabha elections (Sanjay & Pranjal, 2018).

Financial part in Conducting Election

According to October 1979 rules from the Ministry of Law and Justice, the Indian government pays for all Lok Sabha election expenses. State governments pay for independent State Assembly elections. If Lok Sabha and State Assembly elections are held simultaneously, the government of India and the state share the costs. Election commission of India pays honoraria to election observers. This solely applies to election

expenses. Election commission of India has compiled provisional expenditure figures of the various Lok Sabha elections till data. Total expenditure equal to or less than Rs 10 crore for each of first three general elections. Expenditure crossed Rs 500 crore for the first time during the 11th general election in 1996 (Dubudu, 2019) .

Need of Simultaneous Election India

One Nation One Poll would simultaneously address a number of issues, including lowering election costs and limiting all elections to a single season. The model code of conduct delays the government's announcement of projects or policy plans almost every time there is an election in one state or the other (Kaushal, indianexpress, 2019). The simultaneous elections would favour the nationally dominant party at the expense of regional contenders, and there would be complications if any of the governments were to fall before their terms were up. State legislatures aside, even the federal government could be overthrown. In 1971, 1980, 1984, 1991, 1998, 1999, and 2004, seven of the 17 Lok Sabhas that have existed since 1952 were dissolved early. It would also require roughly twice as many electronic voting machines and Voter Verifiable Paper Audit Trail machines, which would cause logistical issues (*ibid*).

Federal System and Simultaneous Election Effort

According to Sections 14(2) and 15(2) of the Representation of the People Act, 1951, the Election Commission must announce elections no later than six months before the end of the current term of the house. The Constitution also stipulates that there cannot be a gap of more than six months between the two legislative sessions. The EC is required to hold elections within six months if a State Assembly is dissolved before the end of its term (Special Reference Case 1 of 2002, 2002). It is claimed that holding elections at the same time will muddle up regional and national issues, putting the integrity of the federal structure at risk due to the possibility that national parties may dominate (Sharma & Swenden, 2018). It is easier to keep checks and balances on the operation of an elected government if elections are held at regular intervals and occur often. It is also considered that a large population and a broad geographical area could present issues in the areas of logistics, security, and manpower (Jha, 2019).

Constitutional Efforts

In the Indian Constitution, Article 172 addresses the duration of state legislatures. It states that "Every Legislative Assembly of every State, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting." However, elections for these assemblies are to be held in conjunction with elections for the Lok Sabha.

In order to put the concept of "one poll one nation" into practice, it will be necessary to amend Article 172 of the Constitution to include Section 14 of the Representation of the People Act, which was passed in 1951. As a result of the fact that Section 14 makes it abundantly plain that the dissolution of the state parliament prior to the expiration of its term creates a window of opportunity of six months for the Election Commission to hold elections, Therefore, the concept of "one nation, one vote" would only be feasible following the amendment of these fundamental provisions. It is possible to amend Article 172 in light of the most recent Law Commission recommendations, but the procedure will be time-consuming and difficult (Law Commission of India, 2018). A necessary measure must first be enacted by the ruling party in the Indian Parliament, then it must be approved by more than half of the states before being ratified by the President of India.

The terms of the State Legislative Assemblies can be shortened or lengthened as necessary to match the Lok Sabha's in order to make them equal. A constitutional amendment would be needed in: According to Article 83, the Lok Sabha would be in function for five years following its first meeting. The President has the authority to dissolve the Lok Sabha under Article 85. According to Article 172, the legislative assembly will be in charge for five years from its initial meeting. It grants the state's governor the authority to dissolve the Legislative Assembly. If the state's constitutional machinery malfunctions, Article 356 grants the Central Government the authority to impose President's Rule. The Representation of the People Act and other legislative norms will also need to be amended (Singh, 2021).

Federal System consequences

The many of political thinkers arguing that, the fundamental doctrine of the Indian Constitution also includes the "federal character". Reiterating the fact that India is a union of states and that, in accordance with its federal system, authority is shared between the state and the central government is necessary. A framework like this one ensures that there are checks and balances, which is especially important when different

political parties rule the centre and the states. In addition, regular elections serve as a platform for providing feedback to political parties and frequently perform the function of a check on the power of the executive branch (Kapoor, 2019; Soni, 2018). And in addition to this, a number of regional political parties were opposed to the concept of "one nation one poll." Specifically, the Dravida Munnetra Kazhagam (DMK) and the Anna Dravida Munnetra Kazhagam (AIADMK) joined hands with the AIADMK in their opposition to the proposal of the Law Commission regarding "one nation one poll" (Lobo, 2018). MK Stalin, the working president of the DMK, indicated that extensive research and analysis for the "one nation one poll" was done by the government of Vajpayee in 1999, but it was determined that the plan was not "viable." However, it seemed as though Congress was in a bind about the issue of "one nation, one poll." However, a top Congress leader remarked that the Congress is against the concept of "one nation, one poll," arguing that it is incompatible with the fundamental framework of federalism (Tripathi S. , 2018).

Conclusion

The Lok Sabha and State Legislative Assemblies' terms now need to be synced in order for both elections to be place within a certain amount of time. For instance, the current Lok Sabha's term will end in 2024, but other legislative assemblies will have varying terms because some elections were already held last year and some are scheduled for this year.

The Constitution of India gives the Election Commission of India the authority to notify elections to both the Lok Sabha and state legislative Assemblies at least six months before the end of the normal tenure of the Houses. These elections must take place during the normal term of the Houses. And just in case that wasn't enough, it also includes provisions to extend the tenure of the House for an additional five years, which would be sufficient for elections to take place at the same time. However, in reality, any declaration of this kind is almost certain to be opposed before the Supreme Court, which is the highest authority on interpreting the Constitution and the ideals it enshrines. This is because the Supreme Court is the ultimate authority on interpreting the Constitution. On the grounds of preserving the "basic structure," of which federalism is a crucial component, the decision to hold simultaneous elections can also be

contested. In the seminal case of *SR Bommai v. Union of India*, the supreme court provided thousands of threads for federalism (*S. R. Bommai v. Union of India*, 1994). One Nation One Poll would be a beneficial improvement if it could be implemented with the proper execution of legislation, taking account of the impending necessity for commendable administrative employees and security. To work out appropriate application-related specifics, it should be planned to include representatives from political parties, government officials, and constitutional experts. While it is vital to take into account the core principles of "structural federalism" and the democratic importance of states, the notion aims to reduce the expense and workforce involved with elections.

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