

General Studies-2; Topic: Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure

Simultaneous Elections

1) Introduction

- Simultaneous elections refer to holding elections to Lok Sabha and State Legislative Assemblies simultaneously, once in five year.
- The idea of holding elections simultaneously is in news after it got a push from Prime Minister Narendra Modi.
- Political parties are divided on the issue of holding simultaneous elections.

2) Background

- Simultaneous elections were held in the country during the first two decades after Independence up to 1967.
- Dissolution of certain Assemblies in 1968 and 1969 followed by the dissolution of the Lok Sabha led to the “disruption of the conduct of simultaneous elections.”

3) Arguments for Simultaneous Elections

- The argument in favour of simultaneous elections is the idea of “one nation, one election”.
- Money and administrative expense will be drastically cut.
- If elections are held at once, then expenses of political parties will also be under control.
- The ruling parties will be able to focus on legislation and governance rather than having to be in campaign mode forever.
- The entire State and District level administrative and security machinery will be busy with the conduct of elections twice in a period of five years as per the current practice.
- Imposition of model code of conduct for such a long time is hampering developmental and welfare activities.
- Large numbers of teachers are involved in the electoral process which causes maximum harm to the education sector.
- It would avoid “policy paralysis”.
- Populist measures by governments will reduce.
- The impact of black money on the voters will be reduced as all elections are held at a time.

4) Arguments against Simultaneous Elections

- It is against the constitutional fabric and it would be impractical.
- Simultaneous poll may privilege national issues over regional ones.
- “One nation, one election” would make sense if India were a unitary state. So “one nation, one election” is anti-democratic.
- Simultaneous elections threaten the federal character of our democracy.
- Large national parties would reap the economies of scale of one large election every five years, to the disadvantage of regional parties.
- An analysis by IDFC institute shows that on average, there is a 77% chance that the Indian voter will vote for the same party for both the State and Centre when elections are held simultaneously.
- Simultaneous elections will relegate local issues or issues of state importance to the background. This completely ignores the diversity of the country

- Frequent elections act as checks and balances on the functioning of elected representatives.

5) Recommendations

- Law Commission of India recommended simultaneous elections to Lok Sabha and State Legislative.
- 79th report of the parliamentary standing committee on Law and Justice recommended a two-phase election schedule – one concurrent with Lok Sabha elections, the second in the mid-term of the Lok Sabha.
- The Election Commission has also extended its in-principle support for the simultaneous elections.

6) Law Commission Recommendations

- Law Commission of India recommends holding of simultaneous elections to the Lok Sabha and the Assemblies, possibly in 2019.
- It suggests amending the Constitution, Representation of the People Act of 1951 and the Rules of Procedure of the Lok Sabha and Assemblies to realise this objective.
- In 2019, the election could be held in phases.
- In the first phase, elections to the legislatures which are scheduled to go for polls synchronous with the Lok Sabha in 2019 could be held together.
- The rest of the States could go to elections in proximity with the Lok Sabha elections of 2024.
- Parties which introduce the no-confidence motion should simultaneously give a suggestion for an alternative government.
- Relaxation of the anti-defection law in the Tenth Schedule to prevent a stalemate in the Lok Sabha or Assemblies in case of a hung Parliament or Assembly.
- In case of mid-term elections, the new Lok Sabha or Assembly would only serve the remainder of the term of the previous Lok Sabha/Assembly and not a fresh term of five years.
- Prime Minister/Chief Minister should be “elected” to lead by the full House like the Lok Sabha Speaker.

7) Concerns / Challenges

- Political parties were divided on the issue of holding simultaneous elections during consultations with the Law Commission of India.
- Simultaneous elections would involve arbitrary curtailment or extension of the tenure of a House — the legal propriety of which is questionable.
- Such a measure would undermine federalism as well as representative democracy.
- No-confidence motion and premature dissolution of House is the major roadblocks to simultaneous elections.

8) Way Forward

- Any changes must require both a constitutional amendment and judicial approval that they do not violate the “basic structure” of the Constitution.
- A focused group of constitutional experts, think tanks, government officials and representatives of political parties should be formed to work out appropriate implementation related details
- **Other alternatives should be explored to reduce election related expenses like**
 - a. State funding of elections
 - b. Decriminalisation of politics
 - c. Bringing in transparency in political funding
 - d. Setting up National Electoral Fund to which all donors can contribute.