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ANALYZING THE RAMIFICATIONS OF ONE NATION ONE ELECTION ON INDIA'S FEDERAL SYSTEM

-Ms. Rajvir Kaur¹

ABSTRACT

The One Nation One Election concept has emerged as a very controversial topic in Indian politics, sparking debates on its consequences on the country's federal structure. One Nation One Election is a proposed system in which all the elections in India, be it for the Lok Sabha or for the assemblies of States, would occur simultaneously once in every five years. Through this reform, it is believed that the election expenditure will reduce and it will also improve governance. However, many believe that the implementation of one nation one election will have far-reaching impact on India's federal structure that creates a balance between the powers of the central government and the state governments. Federalism means the distribution of powers and duties between the Union and the state governments. However, One Nation One Election would centralize the entire election process, thus giving the Union government more control over state elections and this could pose various problems as it will impact the representation of smaller states in the government. This paper will analyze whether this concept of ONOE may marginalize regional parties interests, thereby undermining the issues of local importance. Focusing on the legal analysis and core constitutional principles this paper presents the multifaceted impact of ONOE on India's federal structure and on the basic structure of Indian Constitution. It emphasizes the necessity of upholding the core principles of democracy, federalism, and rule of law, while considering any reforms into the India's electoral framework. Finally this paper will analyze the potential consequences of ONOE on India's federal system.

Keywords: ONOE, federalism, policy, Basic Structure, election

INTRODUCTION

For a country like India, governance based on the core principles of democracy is paramount. The manner of elections is a central pillar of any democratic government. India has witnessed more

¹ Research Scholar at Punjabi University Patiala

than 400 elections for Lok Sabha and the Legislative Assemblies of states since Independence and Election Commission has set outstanding standards for holding free and fair elections in the country, which is duly recognised universally.²

The idea of *One Nation, One Election* (ONOE), and also called simultaneous elections means conducting the Lok Sabha, and all state assemblies' elections together, once in every five years. This initiative to come into force will require a constitutional amendment, which will require ratification by 50% of the states.³ This means that if ONOE comes into effect, a voter will have to cast his or her vote for all the tiers of the Government on the very same day.⁴

The need for having one nation one election for Lok Sabha and the State Legislative Assemblies has been a matter of debate for long time now. The issue got momentum with the matter coming into the limelight at various forums of the Government.⁵ But, the concept of "One Nation, One Election" and its impact on federalism in India stands at the crossroads of the electoral reforms and the constitutional principles. In a vast and diverse country like India, having a parliamentary form of government, the manner of conduct of elections in the country has been a subject of extensive debate in the past few decades. This concept of ONOE visions the synchronization of elections of all levels of the government, from panchayats to Parliament, to streamline the democratic process.⁶

BACKGROUND OF ONOE IN INDIAN CONTEXT

It is pertinent to note that the very concept of simultaneous elections is not new to the country. The elections to the Lok Sabha and to all the State Legislative Assemblies did held simultaneously between 1951-1967 post the adoption of Indian Constitution. It was in the year 1967, when this cycle of simultaneous elections got disrupted⁷ due to the dissolution of certain State Assemblies in

²High level committee report on simultaneous elections in India, 2024, *available at*: Hlc-report-en.pdf (Last visited on April 16, 2024).

³ Lokatantra, Digital Democracy, One Nation, One Election, *available at*: Lokatantra - Articles Details, (Last visited on April 17, 2024).

⁴ Bibek Debroy and Kishore Desai, "Analysis of simultaneous elections: The „What“, „Why“ And „How“" *available at*: http://niti.gov.in/writereaddata/files/document_publication/Note%20on%20Simultaneous%20Elections.pdf (Last visited on April 16, 2024).

⁵ LAW COMMISSION OF INDIA, 'Draft Report on Simultaneous Elections', 2018, Government of India, *available at*: LCI_2018_DRAFT_REPORT.pdf (legalaffairs.gov.in) (Last visited on April 16, 2024).

⁶ Satyam Sinha, Tuijin Jishu, "One Nation One Election: A Blow to Federalism or the Need of the Nation?", Vol. 44 No. 5 Journal of Propulsion Technology ISSN: 1001-4055 (2023).

⁷ Bibek Debroy and Kishore Desai, "Analysis of simultaneous elections: The „What“, „Why“ And „How“" *available at*: http://niti.gov.in/writereaddata/files/document_publication/Note%20on%20Simultaneous%20Elections.pdf (Last visited on April 15, 2024).

1968 and 1969 followed by the dissolution of Lok Sabha in 1970 and in subsequent general elections in 1971.⁸

RATIONALE BEHIND THE IDEA OF ONE NATION ONE ELECTION

The rationale for simultaneous elections erupts from various leading factors, each factor contributing to the overarching objective of enhancing the efficiency, effectiveness, and integrity of the electoral process in the country. The succeeding points highlight the rationale behind holding simultaneous elections in detail.

ONE NATION ONE ELECTION WILL PROMOTE CONSISTENCY AND STABILITY IN THE PROCESS OF GOVERNANCE

Merging the electoral cycles of the Union and the State Legislatures will harmonize the exercise of seeking the mandate of the people for governance at both centre and state levels, thereby fostering continuity in the policy formulation and implementation. This alignment of electoral process will enable governments to pursue their policy and agenda with greater certainty and also clarity.⁹

ONOE WILL PREVENT POLICY PARALYSIS DUE TO SEQUENTIAL IMPOSITION OF MODEL CODE OF CONDUCT

Regular elections mean prolonged enforcement of the Model Code of Conduct that result in policy paralysis and also governance deficit. Apart from the routine administrative tasks, the implementation of various other welfare schemes and policies and the progress of some government projects are also compromised until the Model code of conduct is lifted. The Government(s) also hesitates in taking decisions on critical and crucial projects that have to be undertaken in a time-bound manner while MCC is in place, thereby slowing down the pace of various such projects.¹⁰

ONOE WILL ENHANCE VOTER TURNOUT AND DIMINISH VOTER FATIGUE:

Implementation of ONOE will reduce voters fatigue arising from frequent elections year after year. These elections will make the entire voting exercise much more efficient. One nationwide

⁸ *Supra* Note 4 at 2.

⁹ *Supra* Note 1 at 146.

¹⁰ *Id* at 149.

poll will reduce efforts, challenges and time committed by the voters to the electoral process and voters can devote their time more productively.¹¹

IT WILL REDUCE FINANCIAL BURDEN

Simultaneous elections are expected to result in major cost savings by significantly reducing the expenditures on administration of election process. Holding national and state elections together at one time will avoid duplicative costs and will also improve operational efficiencies.¹²

EFFECT OF ONE NATION ONE ELECTION ON FEDERALISM

ONE NATION ONE ELECTION WILL KILL THE SPIRIT OF INDIAN CONSTITUTION

When Indian Constitution was being formulated, a lot of discussion was done before accepting the parliamentary form of government and decoupled assembly elections. Federalism is one of the basic features of Indian democracy. It respects and reflects the diversity of India and this diversity is represented by the different states in their assemblies. One election for the entire nation might seem like an exciting proposal but it will, in the long run, strike at the roots of our democracy and will kill the very spirit of our Constitution. Every assembly election resonates with some of the local issues that might look alien at the national level. These issues have to be addressed by the local government only. On the other hand, Lok Sabha elections are held on basis of national issues and when simultaneous elections will be held, local issues may take a backseat. It could also lead to voters getting confused between national and the local issues.¹³

Impact of ONOE on India's Federal Structure

The Indian Government Act of 1935, which laid down the division of legislative powers between the Union and the States, laid down the basis for India's federal structure. Through three lists set out in the Seventh Schedule, this framework was later incorporated into the Indian Constitution.

¹¹ George, A. Shaji, "One Nation, One Election: An Analysis of the Pros and Cons of Implementing Simultaneous Elections in India", Volume: 02 Issue: 03, *Partners Universal International Research Journal (PUIRJ)*, Pg, 40-60 (2023).

¹² *Ibid*.

¹³ OPINION | ONE NATION, ONE ELECTION WILL KILL THE SPIRIT OF INDIA'S CONSTITUTION, available at: <http://www.news18.com/news/opinion/opinion-one-nation-one-election-will-kill-the-spirit-of-indias-constitution-1649491.html> 9 (Last visited on April 14, 2024).

Indian federalism is not based on geographical considerations, but rather relies on systematic and structural principles linking the different provisions of the Constitution.

A concern pertaining to the implementation of 'One Nation, One Election' in India is the potential diminishment of state autonomy. The federal framework in India gives states the power to address specific regional needs and issues. Alignment of schedules may weaken the ability for governments to influence and make decisions. State sociodynamics frequently need the development of new policies and governance systems which can be affected by their cultural and economic background. The establishment of a common deadline may lead to the standardisation of procedures which does not take into account the individual needs of different authorities. Due to this, the federalist ideology, which is central to the structure of the Indian government, may be challenged.¹⁴

In a democracy, periodic elections may be beneficial because voters can be assured that their voices will be heard more often. Responsibility lies with the representatives and they must meet more frequently with voters throughout the term. Separate elections also ensure that local and national issues are not mixed up, as combining them could lead to a dilution of local issues that are important to the community. In national and state elections, the fundamental issues are different. While issues such as farmers' problems, unemployment, and national security can play an important role in parliamentary elections, assembly elections are usually won or lost on issues such as law and order, power, and fatalities due to encephalitis or flooding. This idea is at the core of federalism, which can be described as a system of governance in which many states achieve unity and are independent from each other on internal matters. The Constitution established India's quasi-federal structure when it refers to it as a "Union of States," hence ONOE might be interpreted as weakening the country's federal system.¹⁵

The process of credit centralization, where people are more likely to hold the federal government to account for policies, could be accelerated by elections at different levels. In the last ten years, voters have centralised their attribution of credit to different government programmes, in particular because Prime Minister's images are more and more often used for promoting central welfare schemes. On the other hand, the alignment of elections may only lead to further confusion between voters and politicians if the campaigns for the Lok Sabha and the state assemblies are carried out at the same time. Studies carried out in Belgium have shown that voters and candidates often confuse regional and federal issues throughout their campaigns when the country's local and national elections are held simultaneously.¹⁶

¹⁴ *Supra* Note at 5.

¹⁵ *Supra* Note at 2.

¹⁶ Simultaneous elections: What are the implications for Indian federalism?, *Available at*: Simultaneous elections: What are the implications for Indian federalism? (scroll.in) (Last visited on April 14, 2024).

IMPACT ON REGIONAL PARTIES

Recent Research shows that people tend to vote for big parties if simultaneous elections are held. Assembly elections held alongside Lok Sabha elections between the years 1989 and 2014, in 24 elections out of 31, the major political parties gained almost similar proportion of votes in both the Lok Sabha and assembly seats.¹⁷

Another study shows that in 77 per cent of the cases if elections are held simultaneously, people tend to vote for the same party in assembly and Lok Sabha. But the difference in choosing a party in election is 61% in non-simultaneous elections. This indicates that there are high chances of a single party getting hugely benefitted in both state and Lok Sabha elections if elections are held simultaneously.¹⁸

NATIONAL ISSUES WILL DOMINATE OVER LOCAL/REGIONAL ISSUES

The major drawbacks of placing national interests ahead of State matters are: When national policy is at the centre of attention, voters have less opportunity to evaluate how well state governments are functioning in terms of infrastructure, societal indicators, welfare programme implementation and management. State leaders and regional parties are not afforded the opportunity to highlight their objectives, achievements or agendas. Factors that affect jobs and lives, such as infrastructure, industrialization, droughts, and state unemployment, run the danger of being weakened. Smaller, state specific parties argue that simultaneous elections would damage India's federal democracy, since centralization hinders regional ambitions.

CONSTITUTIONAL CHALLENGES TO IMPLEMENTING ONOE

Examination of Constitutional Provisions The authorities, responsibilities and procedures for holding elections at all levels of government are laid down in the Indian Constitution, a cornerstone of India's governance architecture. Elections are explicitly dealt with in certain sections of the Indian Constitution. The power to supervise and direct the electoral process is conferred on the

¹⁷ Is One Nation, One Election A Threat To Federalism?, abhik bhattacharya, *available at*: Is One Nation, One Election A Threat To Federalism? (outlookindia.com) (Last visited on April 14, 2024).

¹⁸ *Ibid.*

Election Commission in Article 324. The duration of the term of office of the Parliament and the Legislative Assembly shall be governed by Articles 83 and 172 of the Constitution. In the meantime, Article 356 confers on the President the power of dissolving a government in cases where it is necessary.

POSSIBLE AMENDMENTS REQUIRED IN INDIAN CONSTITUTION TO IMPLEMENT ONOE

Constitutional amendments may be necessary to adopt the "One Nation, One Vote" concept. These amendments would deal with issues such as the length of Parliament and the State Legislative Assemblies, the terms of office of the State authorities and the powers and duties of the Election Commission. In addition, it may be necessary to adapt election procedures such as the boundaries of districts and reservation of seats. This revision would contribute to building a solid foundation for an effective synchronization of elections. In order to preserve India's structure and to achieve the objective of simplified elections, they should balance centralization with decentralisation.

Finally, there are questions that have to be considered and debated when India adopts the One Nation, One Election concept. All essential factors to be taken into account are the balance of centralization and decentralisation, respect for state sovereignty as well as safeguarding the Constitution's demand for a diversity of representation.¹⁹ Therefore, a strategic and coherent strategy that is consistent with the fundamental principles of India's democratic government will be needed in order to implement "One nation, one election" effectively.

CONCLUSION

So the idea of 'One Nation, One Election' presents a vision to change India's electoral process but along with it, it also brings some challenges, within the federal structure of the country. The success of 'One Nation, One Election' depends on understanding its impact on India's diverse culture and its ever changing democratic landscape. This idea needs to be approached with thoughtfulness while upholding the constitutional principles. As the debate continues to evolve around this idea it becomes very crucial that the government engages in well informed discussions. While the 'One Nation One Election' proposal may seem like a practical solution to reduce election expenditure and improved governance, its implementation could have some severe ramifications on India's

¹⁹ Dr. Vikramjit Singh, "Political Dimensions of One-Nation-One-Election Approach." Volume 5, Issue 8, *Journal of Emerging Technologies and Innovative Research*, pp. 552-559 (2018).

federal structure. So, it is essential for the policymakers to carefully consider the outcomes of this proposal and ensure that it does not in any way undermine the core principles of federalism.