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One nation one election: Challenges in the Indian government system

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Abstract

Democracy is a government of the people, by the people and for the people. India is known for her largest Democracy, and it is celebrated in India with the periodic elections. Recently, our honourable Prime Minister, Narendra Damodar Modi reintroduced the policy of simultaneous election popularly known as One Nation, One Election. From ruling party and its alliances to our chief election commissioner everyone supported it for many positive characteristics. We also not ignore all those criticisms that it received from opposition parties time to time. Presently, it is essential for us to look into all those critical points of views before the upcoming Lok Sabha election that we have in the next year i.e. 2024.

We will discuss and try to understand all the disadvantages that we could come across not only as a voter, also as a citizen of India. We will further observe how much this policy is actually suitable for Indian government in this paper in details.

Keywords: Democracy, federal structure, ruling party, voters, BJP government

Introduction

Democratic system stands on a well organised and effective election system. Indian constitution makers were very much aware of this and to ensure the independence of election commission they incorporate many features. (K.K. Ghai, 2008, p-571) ^[7].

There are many unique characteristics in Indian election system, such as direct election (elections of MP's and MLA's) indirect election (election of president), reservation system for backward classes along with woman and etc. One of the outstanding features on which the whole democratic system stands is adult suffrage. As stated by M.V. Pylee in his book, any person from 18 years old can cast their vote and another feature is of disqualification of a candidate on a basis of:

1. None residence
2. Unsoundness of mind
3. Corrupt etc.

This provision has been held as the "Founding spring of Indian Democracy". (Pylee, 2013, p-252) ^[9].

Recently our honourable PM Modi has proposed to include ONOE* to our election system. It was also backed by the former CM of Karnataka Mr. Yedurappa. Though this policy is not completely new to the history of Indian election. So, from this paper we should first understand what is ONOE*.

What is one nation one election?

It is often said that, voting is a grand celebration in India. According to Niti Ayog in the last 30 years there has not been a single year without an election. On the 73rd Independence Day, PM invited all the heads of political parties to a meeting to discuss this policy.

Idea of ONOE* is all about, conducting one election in such a way that election of both the assemblies that is Lok Sabha and State can be synchronised together. As explained in an article by Sudha U the concept of ONOE* is an idea of simultaneous election of parliament and all the state assemblies, so that they take place together once in a 5 year. (Sodh Sanchar) As mentioned earlier, former CM of Karnataka also shared the similar type of view on implementation of this policy.

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As he stated, repeated election meant, the model code of conduct forced hampered the functioning of the government and delay the developmental works while addressing the assembly debate.

Historical background of India on ONOE*

After the announcement of PM regarding this new concept, many people thought it is a new policy, but this is not a new concept for the Indian election system as simultaneous election was held before Lok Sabha and State Assemblies in the year 1952, 1957, 1962 and 1967. Our PM just reintroduced the old policy. This practice was no more in existence from the year 1968 due to the reason like, dissolvent of state assemblies.

It has already gained massive support from some political parties because of some advantages like saving government funds, curb the black money, engagement of security force for one time, less disruption of public life, especially during exam time, etc. According to a report by Hindustan Times (2023) [5] In December last, law minister Kiren Rijju told the Rajya Sabha that simultaneous elections to the Parliament and state assemblies would result in “huge saving to the public exchequer, avoidance of replication of effort on part of administrative and law and order machinery in holding repeated elections and bring considerable savings to political parties and candidates in their election campaigns”. Still opposition party like APP addressed it unconstitutional and undemocratic policy. A report published in India Today (2024) according to APP, BJP tried to introduce presidential form of government in the place of parliamentary structure.

There is indeed a series of demerits that this policy has. Those disadvantages are discussed further in this paper.

Disadvantages of one nation one election

- Article 1 of our constitution states India is a union of states. The word federalism was not acknowledged. Still India follows federal structure. Indian democracy as mentioned earlier is the largest one, with 28 states and 8 UT’s. All the states have elected legislatures and Chief Ministers in the executive role. As stated by M. Govind Rao and Nirvikar Singh (September 2001) the constitutional assignment of certain statutory power to the state, make India federal (M Govind Rao). K.C. Wheare rightly described India as quasi federal. With the implementation of ONOE* policy, Union government directly challenged the federal structure of India. As we already aware of the fact that all the important subjects belong to the union list. Article 248 states all the residuary powers belong to union. Other articles like article 241, 251, and 356 that help union or central government to curb the power of state government again and again. Economically also the state government depends on central as states cannot meet their complete needs from their state revenue. So, they have to depend upon grants in aid from the union to the states. When the two different party rule in the union and in state their clash is inevitable. Sometime center behaves or treat discriminately, that we already witnessed in passing many times. So, in this scenario implementing ONOE* truly challenges and hamper the federal structure of India.
- Supporters of ONOE* backed it as it saves a huge expense of government during every election which

indeed a bitter truth of the Indian election system. But if we see the practical side next Lok Sabha election will happen in next 2024 and many state assemblies not even complete their 5-year tenure in coming 2024.

A diagram is provided to understand the actual problem of simultaneous election properly:

S.NO.	HOUSE/STATE	FROM	TO
1	ANDHRA PRADESH	12.06.2019	11.06.2024
2	ARUNACHAL PRADESH	03.06.2019	02.06.2024
3	ASSAM	21.05.2021	20.05.2026
4	BIHAR	23.11.2020	22.11.2025
5	CHHATISGARH	04.01.2019	03.01.2024
6	GOA	15.03.2022	14.03.2027
7	GUJARAT	20.12.2022	19.12.2027
8	HARYANA	04.11.2019	03.11.2024
9	HIMACHAL PRADESH	04.01.2023	03.01.2028
10	JHARKHAND	06.01.2020	05.01.2025
11	KARNATAKA	22.05.2023	21.05.2028
12	KERALA	24.05.2021	23.05.2026
13	MADHYA PRADESH	07.01.2019	06.01.2024
14	MAHARASHTRA	27.11.2019	26.11.2024
15	MANIPUR	14.03.2022	13.03.2027
16	MEGHALAYA	06.03.2023	05.03.2028
17	MIZORAM	18.12.2018	17.12.2023
18	NAGALAND	20.03.2023	19.03.2028
19	NCT DELHI	24.02.2020	23.02.2025
20	ODISHA	25.06.2019	24.06.2024
21	PUDUCHERRY	16.06.2021	15.06.2026
22	PUNJAB	17.03.2022	16.03.2027
23	RAJASTHAN	15.01.2019	14.01.2024
24	SIKKIM	03.06.2019	02.06.2024
25	TAMIL NADU	11.05.2021	10.05.2026
26	TELANGANA	17.01.2019	16.01.2024
27	TRIPURA	24.03.2023	23.03.2028
28	UTTAR PRADESH	23.05.2022	22.05.2027
29	UTTARAKHAND	29.03.2022	28.03.2027
30	UT OF JAMMU & KASHMIR	--	--
31	WEST BENGAL	08.05.2021	07.05.2026

Source: website of Election Commission <https://eci.gov.in/elections/term-of-houses>

Table 1: The year wise schedule of next state assemblies

Year of next election	State assemblies
2024	Andhra Pradesh, Sikkim, Arunachal Pradesh, Maharashtra, Odisha, Rajasthan
2025	Jharkhand, Bihar
2026	Pondicherry, Kerala, West Bengal
2027	Punjab, UP, Uttarakhand, Manipur, Goa, Gujarat
2028	Meghalaya, Karnataka, Himachal Pradesh

From the above diagram we can easily understand, holding one election together practically not possible. If ruling party wants to initiate then articles like 172 and 83 (these two articles are discussed later in the paper) must be amended. If BJP government adopt US’s style of Election Day that is "the Tuesday next after the first Monday in November", i.e.

the Tuesday that occurs within November 2 to November 8. (Source:[https://en.wikipedia.org/wiki/Election_Day_\(United_States\)](https://en.wikipedia.org/wiki/Election_Day_(United_States))). So, in this way election could happen together in India. Other than this it's not possible to execute this policy in India.

- Union government deals with national issues and whereas state governments are giving more focus on state issues. Now here another drawback of implementation of ONOE* would be again for state governments. As if voting is conducted once in five years during the voting campaign, leaders of ruling parties to opposition parties only focus on the national issues. State issues like poverty, illiteracy, pollution, regionalism, unemployment and others will be completely ignored. It is evident that national leaders can spend more money on their campaigns, where local leaders and specially the independent candidates cannot able to spend more money on their campaigns, so the issue of checking black money by implementing this policy could be proved as a myth.
- We are living in an era of coalition politics. Between 1971 and 1989, India continued to be ruled by a single majority party. From 1989 onwards we experienced coalition form of government. India witnessed many coalition government time to time, such as 1996 United Front led by Deve Gowda and it lasted only for one year. Again, in the year 1998 BJP led alliance with a strong leadership former PM Bajpeyi, again failed to complete its term. Now these references are used just to realize, do we really ready to accept this new policy? As history shows repeated failure of coalition government. If it happens in future, then multiple election will be taking place. So, what is the point of implementing one election at a time?
- "I always believe the ultimately, if people are paying attention, then we get good government and good leadership. And we get lazy, as a democracy civically start taking shortcuts. Then it results in bad government and politics." -Barack Obama.

Country like India, where most of people are reluctant about their voting right. Many people not even bother to cast their vote, most of the villagers completely unaware whom to vote, they can be easily manipulated by the leaders time to time before the vote. When scenario is like this, government should give extra attention to the voters. They should be educate first from the grass root level before implementing something new.

- As per a report published in Indian Express (2023) our chief election commisioner Shushil Chandra said, "Ready to hold one nation one election". But do we really have the infrastructure of having a peaceful election system before thinking about this new change. Voters do not cast their vote, booth jamming, capturing ballot box are the daily activities during vote. Bi election happens most of the time as voters do not choose their representative peacefully. Before executing this policy, government must provide a proper platform. Implementation of OEON* is nothing but a dictatorial decision.
- As India follows Parliamentary form government, opposition parties play a vital role while government initiate any new policy. Government also needs consent from the opposition parties to implement this policy.

The major change that government needs is to make long lists of constitutional amendments.

1. The first hurdles BJP government would face with the articles 172 and 83 that deal with the tenure of five years for both assemblies. These two articles further stated, elected parties further serve their term of 5years "unless sooner dissolved" by the president and governor.
2. Articles 85 and 174 relates to the dissolution of Loksabha and Vidhansabha. It might be appropriate to amend the provision found in article 174(1) and 85(1) of the constitution under sections 14 and 15 of 1951 representation act to enforce this alternative approach, as this may result in a slight extension of curtailment of the tenure of several assemblies.
3. Another article that could create major obstacle is article 356 which, brings presidential rule in states due to the failure of constitutional machinery. During presidential rule state assemblies are suspended automatically. If this type of situation happens then simultaneous election is beyond of any question.
4. The last hurdle will be the "Representation of People Act, 1951, that "deals with the announcement for the polls to the houses and the state assemblies".

To hold, election together all these above-mentioned article requires amendment.

It is very relevant to observe, when the Delhi High court gave its verdict by saying as national election comes under the territory of the election commission of India so they have all power to bring any changes in the election system. As per a report of Hindustan Times, Delhi High Court further stated; "It is the domain of the Election Commission. They are masters of elections. It's a constitutional body. We know our limitations. We are not lawmakers, we ensure compliance of law... We can't issue such mandamus, "a bench of chief justice Satish Chandra Sharma and Justice Subramonium Prasad said on a petition filed by Ashwini Upadhyay, a lawyer and former spokesperson of Delhi Bharatiya Janata Party.

As per the latest development a committee has been formed to look into the matter of simultaneous election by BJP govt and the report will be submitted in the debate session of parliament. According to a report of the Hindu businessline the committee will be headed by former president Ram Nath Kovind. As per the report, the committee will be discussing the further fate of the policy and the causes, due to which opposition parties oppose this bill. According to a report of the Hindu, The BJP in its 2014 election manifesto had promised to "seek through consultation with other parties to evolve a method of holding Assembly and Lok Sabha polls simultaneously". Giving the rationale behind it, the BJP poll document had stated that "apart from reducing election expenses for both political parties and [the] government, this will ensure continued stability for State governments".

In accordance with MR. Upadhyya as majority of the state are ruled by either BJP or BJP led alliance. Naturally it will be very difficult to make a unanimous decision over this issue in the next Loksabha election 2024. It is very clear that unequal advantages are given to BJP and this is raised by many oppositions parties time to time.

Conclusion

India is a union of states with a federal structure. Being the

largest democracy, it follows a complex yet a unique style of democracy. As I already mentioned in my above discussion, the government will have to take some extra efforts to make people aware and sensible regarding this policy. Government must be extra careful so that they would not hamper the basic structure of Indian federal system. The whole election system should be rebuilt so that simultaneous election could be performed peacefully.

No one could deny all the positive effects regarding One Nation One Election. While implementing this wise policy all the leaders from the ruling party to the opposition must perform a positive and crucial role where they have to give up all their narrow political interest above the well fairness of the nation. India, our Bharat known for her unity with diversity. She has 28 states and 8 UTS with her own kind of culture, language, religion, caste etc. Leaders should be careful they can put into this policy without hampering the sentiment of these people as they are the actual source of democracy. In spite of having so many obstacles that I try to examine through my paper, it has many merits. Our leaders must have zeal to execute this policy and brings an evolution in the Indian election system.

*ONOE: One Nation One Election.

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