
EXPLORING THE FEASIBILITY, CHALLENGES AND IMPLICATIONS OF SIMULTANEOUS ELECTIONS IN INDIA

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ABSTRACT

The paper examines the idea of conducting simultaneous elections in India, often termed “One Nation, One Election” (ONOE), focusing on its practicality, consequences, and challenges. Advocates of simultaneous elections emphasize its ability to enhance governance efficiency, decrease electoral spending, and reduce socio-political instability. On the other hand, critics caution about potential threats to federalism, erosion of regional representation, and considerable constitutional and logistical challenges.

The paper explores the historical background of synchronized elections and extracts lessons from international cases in countries like South Africa, Sweden, and Belgium, to analyze how simultaneous elections could reshape India's democratic system. The suggested framework necessitates significant amendments to the constitution, involving revisions to Articles 83, 85, 172, among others, to synchronize the electoral timelines of the Lok Sabha and state legislative assemblies. The authors also delve into possible challenges, including the early dissolution of assemblies, potential threats to regional diversity, and the implications of judicial review on constitutional changes. By analyzing stakeholder perspectives, legal frameworks, and logistical prerequisites, the paper underscores the need for a cautious, evidence-based approach to electoral reforms that respects India's democratic ethos and federal principles.

Keywords: Simultaneous Elections, One Nation One Election, Electoral Reforms in India, Election Synchronization Challenges, Electoral Governance in India.

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1. Introduction

1.1 Elections play a vital role in a democracy, enabling citizens to participate in governing and decision-making. India, the biggest democracy globally, has a strong electoral setup that has seen significant changes since its initial general elections in 1952. Nevertheless, the system has become more complicated because of the differing electoral schedules for the Lok Sabha and State Legislative Assemblies. This difference has led to discussions on the viability of bringing back concurrent or simultaneous elections, also referred to as “One Nation, One Election” (ONOE), as a way to address the increasing difficulties in managing elections.

1.2 Up until 1967, the Lok Sabha and the State Assembly elections in India were traditionally conducted concurrently. The synchronization was disturbed due to the premature dissolutions of state assemblies causing asynchrony. India has since experienced numerous elections, leading to difficulties in administration, policy gridlock, and increasing expenses. From 2014 to 2019, India held a total of 17 state assembly elections in addition to national elections, causing logistical and governance issues.

1.3 The idea to bring back simultaneous elections has been gaining support in recent years, backed by both political leaders and policymakers. Supporters claim that it can greatly cut down on electoral expenses, improve the effectiveness of governance, and mitigate the socio-political disturbances brought about by frequent elections. Critics argue that it has the potential to weaken India’s federal system, exclude regional perspectives, and raise constitutional issues.

1.4 On 1 September 2023, the Central Government of India constituted a ‘High Level Committee’ (HLC) led by former President of India Ram Nath Kovind to explore the possibility of simultaneous elections in India. The HLC presented its report on 14 March 2024 titled on “Simultaneous Elections in India”.

1.5 This paper explores the feasibility of simultaneous elections, analyzing its historical context, potential advantages, challenges, and global precedents. By examining stakeholder perspectives, constitutional frameworks, and logistical considerations, this paper seeks to provide a nuanced understanding of the implications of ONOE for India’s democratic and governance systems.

2. History of Simultaneous Elections in India

2.1 It is not as if simultaneous elections are altogether new in the history of electoral politics in India. The first elections of India as a sovereign nation took place from 1951 to 1952, spanning more than three months. This was the beginning of India's electoral journey regarding simultaneous polls, with elections for Parliament and state legislative assemblies being held at the same time. However, this arrangement did not last long, as states underwent reorganisation and assemblies were dissolved before their terms ended. The first disruption of this synchronised electoral cycle occurred in Kerala in 1959, when the union government invoked Article 356 of the Constitution and dismissed the state government led by the Communist Party of India within three years of its formation in 1957.¹

2.2 The Election Commission of India initially mooted the idea of simultaneous elections in 1982. It recognised the potential benefits of aligning the electoral cycles of the Lok Sabha and of the state assemblies. In 1999, the Law Commission of India also proposed the idea of simultaneous elections in its 170th report titled "Reform of the Electoral Laws." It explored the feasibility and potential advantages of synchronised elections.²

2.3 In 2015, the Parliamentary Standing Committee on Personnel, Public Grievances, Law, and Justice submitted its report on the "Feasibility of Holding Simultaneous Elections to the House of People (Lok Sabha) and State Legislative Assemblies." The report outlined three primary reasons against the current electoral process of holding staggered or non-simultaneous elections in India. First, it involves a significant financial outlay for the nation. Second, the enforcement of the Model Code of Conducts during elections causes a sort of "policy paralysis," which suggests negative effects on the formulation and execution of important developmental initiatives and policies. Thirdly, the enormous work of electoral duty takes up important human resources. The report emphasized that a two-phase approach, where some state assemblies could have their polls in the middle of the Lok Sabha's tenure, and where the rest of the state

¹ Editorial, "Indian Democracy and Simultaneous Elections", *Economic and Political Weekly*, Sept. 16, 2023, available at: <https://www-epw-in-nliu.knimbus.com/journal/2023/37/editorials/indian-democracy-and-simultaneous-elections.html> (last visited on Nov. 24, 2024).

² Agney G K and Vineeth Thomas, "Assessing the Feasibility of 'One Nation, One Election' in India", *Economic and Political Weekly*, Nov. 11, 2023, available at: <https://www-epw-in-nliu.knimbus.com/journal/2023/45-46/commentary/assessing-feasibility-%E2%80%98one-nation-one-election%E2%80%99.html> (last visited on Nov. 24, 2024).

assemblies could have their polls at the end of the Lok Sabha's tenure, would be a more realistic way to conduct simultaneous elections.³

2.4 The impetus for simultaneous elections has also emerged from a discussion paper published by NITI Aayog. This article emphasised the potential benefits of holding simultaneous elections. Moreover, the Law Commission issued a report on simultaneous elections in 2018, further highlighting the advantages of synchronised elections. The report stressed the need to consider constitutional amendments and legal reforms to make simultaneous elections a reality, with a focus on the principle of "one person, one vote" and the integrity of the electoral process. Now, the current government has proposed simultaneous elections as a part of its "maximum governance" agenda and as a solution to the issues plaguing the electoral process in India.⁴

3. Legal and Constitutional Aspects

3.1 India's electoral process is governed by a complex framework of constitutional provisions, laws, and rules. The Constitution provides for separate elections to the Lok Sabha and State Legislative Assemblies under Articles 83, 85, 172, and 174. These articles prescribe the maximum term of five years for the Lok Sabha and State Assemblies and empower the President and Governors to dissolve these bodies prematurely.

3.2 Key statutes like the Representation of the People Act, 1951 (RPA) govern the conduct of elections, setting out detailed procedures for nominations, campaigns, and voting. However, the Constitution does not explicitly mandate synchronized electoral cycles, allowing elections to be held separately whenever terms of individual assemblies or the Lok Sabha expire.

3.3 The five likely changes to the Constitution would involve amending Article 83 on the duration of the Houses of Parliament, Article 85 on the President's power to dissolve the Lok Sabha, Article 172 on the duration of the state legislatures, Article 174 on the Governor's power to dissolve the state legislatures, and Article 356 on the imposition of President's rule in the states. In addition, specific amendments in the Representation of the People Act, 1951 might also be required.

³ *Supra* note 1.

⁴ *Supra* note 2.

The HLC in its report in Chapter X has recommended the following amendments to the Constitution:

- **Article 83 and 172:** Modify to allow synchronization by either extending or reducing terms of the Lok Sabha or State Assemblies.
- **Insertion of Article 82A:** Define and govern the synchronizing process, including provisions for mid-term elections.⁵
- **Article 324A:** Introduce a framework for simultaneous elections for local bodies.⁶
- **Article 325:** Establish a single electoral roll for all elections, overriding current practices under Articles 243K and 243ZA.

4. What is the proposed procedure?

4.1 One of the terms of reference of the HLC included suggesting a framework for conducting elections of Lok Sabha, state assemblies, and local bodies at the same time.

4.2 The Committee recommended a structure that will necessitate constitutional reforms in order to organise simultaneous elections. The Committee suggested, as a one-time action, that all state assemblies and municipal bodies should be dissolved in the next Lok Sabha election, regardless of their remaining term. All elections will be in sync as a result. The Committee

⁵ Article 82A

1. *The President of India may by notification issued on the date of the first sitting of the House of the People after a general election, bring into force the provision of this Article, and that date of the notification shall be called the Appointed date.*
2. *Notwithstanding anything contained in Art. 83 and 172, all the Legislative Assemblies constituted in any general election held after the appointed date shall come to an end on the expiry of the full term of the House of the People.*
3. *Notwithstanding anything contained in this constitution or any law for the time being in force, and after the expiry of the full term referred to in sub article (1), the Election Commission shall conduct General elections to the House of the People and the Legislative Assemblies simultaneously and the provisions of Part XV of the constitution shall apply to these elections mutatis mutandis with such modifications as may become necessary and which the Election commission may by Order specify.*
Explanation: The expression "simultaneous elections" shall mean general elections held for constituting the House of the People and all the Legislative Assemblies together.

⁶ Article 324A

Notwithstanding anything contained in Art. 243E and 243U, Parliament may by law make provision for ensuring that the elections to Municipalities and Panchayats are held simultaneously with the General Elections, and for this purpose, make provisions as may be necessary including provisions for determination of the term of the Municipalities and Panchayats sooner than the expiry of five years from the date appointed for their first meeting, and for limiting the term of such Municipalities and Panchayats constituted under a mid-term election to the unexpired period of their term until the next general elections.

further suggested that elections be held for local authorities within 100 days, as well as for the Lok Sabha and all State Assemblies simultaneously.⁷

4.3 The Constitution would need to be amended to introduce the concepts of a “full term” and an “unexpired period”, and provisions be made so that the elections where the House or an Assembly is dissolved sooner than its “full term” would be considered a “mid-term” election. The election held after the expiry of five years would be considered a “General election”.⁸

4.4 The scheme broadly would be that once a synchronisation is achieved between the terms of the Lok Sabha and the State Legislative Assemblies then this synchronisation would be maintained by holding a simultaneous General election every five years. If, however, the Lok Sabha or a Legislative Assembly is dissolved sooner than its period of five years from the date appointed for its first meeting, a mid-term election would be held for reconstituting the Lok Sabha or the State Legislative Assembly as the case may be, but the term of the Lok Sabha or the State Legislative Assembly so constituted in a mid-term election, would be for the remaining unexpired period of its term. In this manner at the end of five years, the Lok Sabha and all the State Legislative Assemblies would reach the end of their term at the same time, and be ready for a General election held simultaneously.⁹

4.5 In the case that simultaneous elections lead to a hung parliament or assembly, a vote of no confidence, defections, and other comparable outcomes, the HLC was also entrusted with investigating and suggesting workable alternatives.

4.6 The Committee recommended holding new elections for a local body or a hung legislature for a “reduced term”. For the simultaneous election, such reduced term will be equal to the remaining time of the five-year cycle. This means that the term of a state legislature or Lok Sabha will only be three years if a new election is held two years following the simultaneous poll. This will synchronise all elections every five years.¹⁰

5. Countries following Simultaneous Elections

If India enacts the idea of “one nation, one election,” then it will join three other countries in

⁷ Simultaneous Elections in India, High Level Committee Report Summary, *available at* <https://prsindia.org/policy/report-summaries/simultaneous-elections-in-india> (last visited Nov. 24, 2024).

⁸ High Level Committee, “Report on Simultaneous Elections in India” (March, 2024).

⁹ *Supra*.

¹⁰ *Supra* note 7.

the world that hold simultaneous elections. Currently, Belgium, South Africa, and Sweden hold simultaneous elections at the federal and provincial levels. The 2015 report mentions the examples of South Africa and Sweden as precedents for pursuing simultaneous elections in India. For example, both national and provincial legislatures in South Africa are elected for five-year terms at the same time. Sweden also has a fixed date for electing its national, provincial, and local representatives, who serve for four-year terms simultaneously. However, South Africa and Sweden use variations of proportional representation in their elections, while India uses the first-past-the-post system.¹¹

The HLC Report also makes a comparative analysis with other countries while dealing with the issue of simultaneous elections.

5.1 South Africa

“The House of Assembly, i.e., the Lower House and the Provincial Councils are elected by “first-past-the-post” voting method in single-member electoral divisions. The electoral system for the National and Provincial Assemblies is based on “party-list proportional representation” method, which means that parties are represented in the proportion of electoral support to them. The elections for provincial and Municipal Councils are held every five years. During provincial elections, parties provide a list of candidates to the Independent Electoral Commission (IEC), which then distributes seats accordingly. The National Assembly consists of 400 seats, while the number of seats in each Provincial Legislature is based on the population size. The elections to Municipal Council is based on a “mixed-member” method that combines voting in areas with party list selections. This ensures representation for all parties, resulting in a diverse legislative body. During elections, people vote for both the National Assembly as well as the Provincial Legislatures simultaneously. However, municipal elections are held separately from provincial ones in a five-year cycle.”¹²

5.2 Sweden

“Sweden follows the proportional representation system in elections, which means that the number of seats assigned to political parties in the elected assembly is in proportion to their vote share. In Sweden, the elections for the Parliament (Riksdag), the County Councils and the

¹¹ *Supra* note 1.

¹² *Supra* note 7.

Municipal Councils take place simultaneously. These elections take place every four years on the second Sunday of September. The elections to the Municipal Assemblies are held on the second Sunday of September, every five years.”¹³

5.3 Belgium

“In Belgium, voting takes place for five different types of elections:

- a. European elections: for choosing representatives to the European Parliament;
- b. federal elections: for choosing representatives to the Federal Parliament;
- c. regional elections: for choosing representatives to the legislative bodies of the federated regions, e.g.; the Flemish Parliament, the Walloon Parliament, the Parliament of the Brussels Capital Region, and the Parliament of the German-speaking Community;
- d. Provincial elections: for choosing representatives to the Provincial Council; and
- e. Municipal elections: for choosing representatives to the Municipal Council.

It is pertinent to mention that voting is mandatory in Belgium. Elections for the Federal Parliament are normally held every five years, coinciding with the elections to the European Union, and the regional elections. There have been two instances of simultaneous federal and regional elections in Belgium in 1999 and 2014.”¹⁴

“On 14 February, 2024, Indonesia successfully conducted simultaneous elections. This is being termed as the world’s largest single day elections since nearly 200 million people voted across all five levels i.e. President, Vice President, Members of Parliament, Members of Regional Assemblies and Municipal elections”.¹⁵

6. Rationale of Simultaneous Elections

6.1 One of the main benefits of holding simultaneous elections is that the Model Code of Conduct (MCC) would not interfere with the development initiatives and projects of the ruling

¹³ *Supra* note 7.

¹⁴ *Supra* note 7.

¹⁵ Ananda Teresia and Stanley Widiyanto, *Reuters*, Feb. 15 2024, available at <https://www.reuters.com/world/asia-pacific/indonesia-votes-new-president-under-shadow-influential-incumbent-2024-02-13/> (last visited on Nov. 24, 2024).

parties. According to an analysis provided by the NITI Aayog, the MCC is typically enforced for four months each year in one area of the nation. Any welfare plan that the ruling party may have for the state, region, or entire nation is set back by this. An effective way to address this issue would be to hold elections at the same time.

6.2 The present system of the electoral process results in significant cost outlays for election administration, regulation, and oversight. The candidates invest a lot of money in their campaigns as well. Unnecessary expenses result from the country's chaotic election timing. Therefore, holding elections at the same time will simplify the procedure and lessen the financial strain on the nation's exchequers.

6.3 Frequent elections require the involvement of military and police forces over an extended duration, which can hinder the efficient operation of the system. Conducting elections simultaneously could alleviate this. Staggered elections are also considered to be a burden on law enforcement, security, and paramilitary agencies. The elections also compel the officials, primarily at the district level and below, to sideline the tasks of their routine administration. The implementation of simultaneous elections is projected to alleviate the strain on these entities and eliminate the need for the constant redeployment of paramilitary forces during elections... The execution of simultaneous elections is expected to relieve the executive, law enforcement, and security agencies from continuous diversion, pressure, and redeployment.¹⁶

6.4 Another justification for implementing simultaneous elections is the reduction of election-related expenditures by both the government and political parties. It is expected that simultaneous elections may drastically reduce political corruption by reducing both the frequency of elections and the expenditure on it. Proponents of simultaneous elections contend that reducing the frequency of elections would lead to a corresponding decrease in the fiscally irresponsible practices of freebies.

6.5 Moreover, frequent elections disrupt normal public life by putting the country in "perpetual election mode" and causes to continue divisive factors in the society.¹⁷

¹⁶ *Supra* note 2.

¹⁷ Bhumesh Verma and Soumya Shekhar, "Decoding Simultaneous Elections", *SCC Times*, June 15, 2018, available at: <https://www-sconline-com-nliu.knimbus.com/blog/post/2018/06/15/decoding-simultaneous-elections/> (last visited on Nov. 24, 2024).

7. Challenges and Complexities

7.1 It is true that non-simultaneous elections started as a result of the interference of the union government in state legislatures in the past. However, with the emergence of multiple regional parties, it has gradually become a factor that supports federalism. Frequent and non-simultaneous elections allow more space to regional parties as well as regional issues to garner national limelight. This is because the state-level issues and the regional forces that address them have more opportunities to highlight their specificities when the elections are focused on particular states. “One nation, one election” risks to overshadow these regional specificities by privileging a more uniform narrative at the time of the elections, thus giving a clear advantage to national parties, especially parties that have disproportionate money and media influence.

7.2 Further, if the implementation of simultaneous elections seeks to amend the federal nature of the Constitution and thus affect the basic structure, it may lead to a judicial intervention as well. Indeed, the synchronisation of elections would necessitate the premature dissolution of certain legislative assemblies and the extension of the term of others. This could compel numerous state governments to seek relief from the Supreme Court, potentially putting the implementation of this policy on hold.¹⁸

7.3 The idea of simultaneous elections looks at elections with a certain instrumentalist perspective, obscuring the normative content of parliamentary democracy. Periodic elections are not a mere technical or procedural instrument for electing our political representatives, they are also constitutional channels for expressing popular sovereignty, which lie at the core of our democracy.¹⁹

8. Way Forward

8.1 A wise course of action going forward would be to carefully evaluate a number of crucial considerations while implementing simultaneous elections. Pilot studies in a few chosen states or areas might yield important information about the viability, difficulties, and possible advantages of holding elections at the same time. These initiatives will test the efficacy of combined elections, assess logistical needs, and pinpoint any potential practical problems. In order to evaluate the requirements and implications of simultaneous elections, it may be helpful

¹⁸ *Supra* note 2.

¹⁹ *Supra* note 1.

to consult with independent experts, constitutional scholars, and electoral reform professionals. Their knowledge can help create a strong implementation structure that complies with constitutional requirements.

8.2 Understanding the effects of simultaneous and staggered elections requires constant data evaluation and analysis. Data can offer empirical information to guide decision-making and improve the political process by looking at election-related spending, voter turnout, government continuity, and elected representatives' performance. Furthermore, it is crucial to include stakeholders by holding open consultations with citizens, regional and local parties, civil society organisations, and political parties. The decision-making process on electoral reforms can be inclusive and transparent by taking into account a variety of viewpoints and concerns.

8.3 The principle of one nation, one election should be implemented effectively, and any necessary constitutional adjustments should be taken into consideration. To guarantee that any modifications respect constitutional safeguards and principles while resolving pragmatic issues, legal and constitutional specialists should be consulted. To familiarise citizens with the idea of simultaneous elections, its possible advantages, and the associated trade-offs, public awareness and education initiatives must be carried out. When it comes to issues pertaining to electoral changes, an informed and involved citizenry may offer insightful opinions and make wise choices.

8.4 A cautious, inclusive, and evidence-based approach can be undertaken towards the implementation of simultaneous elections. This approach will allow for a thorough evaluation of feasibility, benefits, challenges, and public sentiment while upholding the principles of democracy and respecting the concerns and preferences of various stakeholders.