

SIMULTANEOUS ELECTIONS IN INDIA: CHALLENGES AND REMEDIES

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Abstract

This paper deals with the challenges that the Indian Election Commission has to face to synchronise the elections of both centre and the states. The positive benefit overrides the negative which could be resolved by some sacrifices, adjustments and some amendments to the existing rules in the constitution. It is of course difficult to hold simultaneous elections to the whole country as many state assemblies have different stage of their tenure. But this is not at all a new concept to be denied as well. The country has witnessed simultaneous elections immediately after implementation of our new constitution. Later on due to unavoidable situations country went on holding separate elections in different slots. This paper gives the idea that how we can succeed in implementation of simultaneous elections, what challenges are to be faced and the pros and cons of the scheme.

Key Words: Simultaneous, instability, paralysing, extravagant, Synchronizing, hung parliament, hung assembly, circumscribing, proclamation, dissolve, concurrence, mala fide.

1) Introduction

India is largest democracy of the world. Elections are festivals of democracy to be celebrated every five years according to Indian constitution. The question of simultaneous has been raised due to the disturbances of separate elections happening often throughout the year. The normal life of the public, paralysing of administrative machinery, extravagance paved way for thinking about simultaneous elections.

Simultaneous elections- is not a new concept. Looking back in the post independent history of India, we have experienced general elections which were held for both centre and states simultaneously. The first simultaneous general elections held to both centre and state. The same continued to 1957, 1961 and the fourth elections in the year 1967. It was not designed as such but it happened because the elections cycles matched. Then the situations, population, number of constituencies and number of voters were of course less. So the nation did not spend as we find in the recent elections. But later due to hung parliament/ assemblies- nation started experiencing elections in different slots.

2) Objectives

The Objective of this study is to find actual pros and cons of it's implementation and constitutional hindrances and also find out the solutions.

3) Review of Literature :

Reviewed the system already existing in some countries like China and Libya. Later the literature available in India , the statements of the retired Commissioners of election Commission, Report of the Parliamentary Standing Committee, Law Commission and NITI Ayog. An informal discussion with the colleagues and students made me to find out the solutions expressed in this paper.

4) Meaning of Simultaneous Elections or one nation one election.

Simultaneous literally means at a time or same time. It is the concept to be adopted to hold elections once in every five years to both parliament, state legislative assemblies and to local - self governments. The purpose behind this intention is to feasibility. If this is introduced the voters have to caste their votes to all elections at once in every five years.

5) The Drawbacks of the existing system.

Elections are the back bone of democratic form the government. Organising and conducting elections should not be the burden on any government. The Indian Constitution is not saying to conduct election simultaneously to both Lok Sabha and state assemblies. Post independent India experienced the simultaneous elections in the consecutive four elections. But after 4 general due to hung assemblies in some states, elections started happening in different slots. In the year 1979 pre matured dissolution of parliament resulted in sperate election for centre. This is how the unwritten method of simultaneous elections was disturbed. There after nation has been facing different problems to conduct elections in different slots to different political bodies throughout the year. Election is a means to get good governance by forming a government of the people and not an end. The following are the problems nation is facing due to continuous elections.

The foremost important problem is paralysing administration. When you are supposed to hold frequent elections code of conduct will be a hindrance to the decision making and policy formation. The government and the parties have to wait for the time. Maximum period of the tenure will be spent in organising and conducting elections. This naturally is going to paralyse the administration.

Financial burden is another serious problem with the existing system. The extravagance of political parties and the burden on the exchequer to conduct frequent elections is to be avoided.

If we look at the examples of some expenditures of the earlier elections it is evident that from one to another the expenditure has been increased notably.

In the first general elections the total population of India was only 35.66 crore of which 48.56% of them i.e 17.32 crores were the voters except Jammu and Kashmir. The total expenditure on this was – Rs.10.45 Crore. The rapid growth of the electorate. Indian elections are the world's most expensive one.

Table showing the election expenditure from 1952 to 1914

Election expenditure per elector

Year of Election	Expenditure Incurred (in Rs.)	No. of electors	Expenditure per elector (in Rs.)
1952	10,45,00,000	17,32,12,343	0.6
1957	5,90,00,000	19,36,52,179	0.3
1962	7,32,00,000	21,63,61,569	0.3
1967	10,79,69,000	25,02,07,401	0.4
1971	11,60,87,450	27,41,89,132	0.4
1977	23,03,68,000	32,11,74,327	0.7
1980	54,77,39,000	35,62,05,329	1.5
1984-85	81,54,34,000	40,03,75,333	2.0
1989	1,54,22,00,000	49,89,06,129	3.1
1991-92	3,59,10,24,679	51,15,33,598	7.0
1996	5,97,34,41,000	59,25,72,288	10.1
1998	6,66,22,16,000	60,58,80,192	11.0
1999	9,47,68,31,000	61,95,36,847	15.3
2004*	10,16,08,69,000	67,14,87,930	15.1
2009#	11,14,38,45,000	71,69,85,101	15.5
2014	38,70,34,56,024	83,41,01,479	46.4

* 1 – Source- Economic Times .com

In the 1952 elections the government has spent 10.45 crores which increased to 370.68% by 2014 elections. The increasing expenditure every time has been a burden on the exchequer. This is due to the perennial elections throughout the country.

The other one is paralysing of the administrative system. The model codes of elections restrict the government in policy formation and implementation. Obviously political parties have to struggle to capture power through elections and they always devote much of their time to prepare strategies to win elections. If elections happen periodically on fixed time for all times, then no need to invest much of the time for it. Once it will be over throughout the nation and politicians can concentrate on administration.

In paralysing administration the government officials and military also is disturbed often as if they are being recruited for the election duties only. The purpose of recruitment of every servant is to be served when they are in office.

Education is a responsible sector wherein the future of the country is decided. But those teachers are often engaged in election duties inevitably throughout the year. This is again disturbing the quality of education as well.

The military will be deployed to with purpose of security, protection and discipline during elections. This not just disturbing military administration but also the government has to spend a lot on the deployed staff.

Logistics is another essential element to hold elections. The election commission has to often plan the required materials and to spend on that. The government has to spend both on men and material resources to hold elections.

The government has to meet the expenditures like setting up of polluting stations , making necessary arrangements in

polling booths and counting centres. payment of

T.A. D.A. etc for polling personnel and counting staff, Transport arrangements, Making temporary telephone facilities, electrical fittings etc to the polling booths and counting centres, purchase of election material like, indelible ink, ammonia paper etc which are exclusively utilised for that particular elections, Miscellaneous expenditures for smooth conducting of elections.

6) Challenges in the implementation.

The change in the existing system is to be thought in both constitutional and public aspect. Whether the existing system is really paralysing administrative system and also a burden financially or not. The answer is yes. Genuinely a solution is to be found instead of sticking on to the age old principle which is irrelevant. Hence the decision to introduce simultaneous elections is good on the part of better administration. Constitutionally the new scheme is to be fit in to the different provisions so that there should not be any constitutional violation. Most of the intellectuals, writers and politicians are of the opinion that the amendment of the constitution is needed. Yes indeed. But the existing is not coping with the administration that aims for public welfare, if obviously to be changed as needed.

Democracy is government of-for and by the people as Abraham Lincoln said. The democratic set up based on fair elections. These are as I said means not the end. If the means is expecting you involve yourself throughout the year with short breaks, then it is no use at all. The achievement of the end will be mirage. How can one expect the welfare administration from such democratic set up. The whole set up is not needed to be changed.

If you look at the history of the development of different forms of government, they evolved from time to time with changes in them. While thinking about the form of government one has to consider the need of government as well. The government as a political institution is for the people's good life and not to insist the generations to follow the irrelevant principle. Hence I would recommend to bring the changes in the constitutional set also to ensure the implementation of the new scheme.

7) Constitutional Implications

The article 172 of Part-VI of our constitution reads that every state Legislative Assembly, unless sooner dissolved, shall continue for a term of 5 years, provided that the said period may, during emergency proclamation, be extended by parliament by law not exceeding for 1 year at a time and not extending 6 months after the emergency ceases to operate.

The problem here is synchronization of elections to both centre and the state assemblies. After 4th general elections the nation has witnessed the hung parliament and also hung assemblies in some states. All states' assemblies will not be completing their tenure at a time. Some state Assemblies may be already completed. So the question is to whether the tenure completed assembly period is to be extended, those not completed have to be curtailed and for this there is no answer in the constitution. But it is provided for emergency through which the life of the assembly can be extended by the act of parliament. Then it essentially needed to amend the constitution to curtail the tenure of the assembly.

No confidence Motion is another reason for the hung parliament and assemblies. The constitution particularly has not mentioned about the no- confidence motion but it says under article 75 the council of ministers shall be collectively responsible to the lower house. If it loses the confidence of the Lok Sabha , it has to quit the office. In the same way state chief minister and the council of ministers are to be responsible to state legislative assembly. This leads to premature dissolution of the house. Such time needs election to be held to form new government. Hence amendment is needed to no confidence motion provision.

Since the election commission has to notify elections only 6 months prior to the completion of the tenure of either Lok Sabha or State Legislative Assembly. But if synchronisation is needed then the Parliament has pass an act and to curtail or extend the tenure of the elected legislature. Then election commission will be able to execute the elections in accordance with the law and also the simultaneous elections will be possible.

Federal and Democratic systems never say to go with the irrelevant practices. Changing time needs change in the existing system also. If it is not flexible enough to adjust with the demand of the day, that system will be a burden and not an ideology any more.

It is feasible to go for simultaneous elections for both the center and the states as we are going to benefit by many ways. But at the same time it is necessary get consensus of all political parties so that the execution will be smooth.

If simultaneous elections failed to get clear majority to a single political party then coalition government has to be supported through constitutional amendments. The amendment has make it mandatory to the first largest and second largest parties to form government by proving the majority jointly. They have to be made bounded to complete the tenure.

In such cases practical problems are ideological differences and the party manifesto made at the time of election may prevent them to support smooth functioning of the government. But ultimately the party has to prepare any objectives for the welfare of the people only. The power given to the parties is not for private benefits but to consider it as an opportunity to serve to the people. Hence they have to go with constitutional provisions.

8) Positive Implications by the implementation of Simultaneous Elections

Constraints of multiple issues will be stopped by simultaneous elections. simultaneous elections Saves time and money : Conducting one election needs years of preparation, spending on conducting elections (men and material resources) of the nation. At the same time to conduct perennial and separate elections the nation has to spend crores of rupees. Due to elections held with short gaps, the government has to suffer financially as well. Simultaneous elections help to stop extravagance. The parties also survive from expensive elections that occur often.

Administrative benefits cannot be undermined here. Most of the elections make politicians to start preparation of winning strategies a year earlier the elections. Perennial elections make them to invest their time and energy for winning elections instead of administrative reforms. Simultaneous elections will put an end to this. Simultaneous Elections reduces cases of unstable governments if the constitutional amendment made to dissolution and emergency provisions. Government officials can concentrate on their duties without distraction of such matters often. The expenditure on material sources required for conducting election will be reduced. Political gimmick by political parties

will be reduced. The Men and Material sources are to be spent in the same quantity to conduct all these elections separately. Hence if it is simultaneous there is no issue of more outgo.

These days elections are common throughout the year. Frequently holding elections disturb the normal life of common public. Essential services to the people will be disturbed by the elections. Due to the Slogans, campaigns, flexes sound and air pollution cases. The unhealthy verbal fight among politicians is another anti-social and immoral act resulted by elections. If this is to be minimised holding elections to all three tyres at a time is feasible.

India is secular country where we find different culture, religions, and castes also. The thirst for power has made politicians to ply political gimmick using their caste. Sometimes using the religious factor is to please the particular community and to create for banks. This in fact is against the preamble of our constitution i.e. "Unity in Diversity" and "Secular". This negative vibes will be spread throughout the year due to frequent elections. To stop this as well we need to go for simultaneous elections.

Instead of worrying about the elections throughout the tenure of office the government will devote its time, energy and ability to focus on the administrative affairs. The public service also can be considered if they get time to think about administration and definitely public welfare will be possible for which the government is formed.

More participation of the people is possible with the simultaneous elections. Csaba Nikolenyi, a Montreal base University Professor who published a paper on Indian Election System says: "separate elections in India were preventing more people from participating in the democratic process. The simultaneous Elections uphold the Democratic principles.

Since the Simultaneous Elections is not new to us. As I have mentioned earlier in this paper the first to 4th elections to both parliament and the state assemblies held together from 1951- 51 to 1967. The simultaneous elections benefited to – organise elections, deploy military, depute the government official, provide logistics – once in in the tenure of five years. This helps to reduce expenditure, time and also the government servants can also focus their same time on administrative service.

Simultaneous elections avoid frequent dissolutions of the houses, unstable coalition governments. If you look at the example of Karnataka – The coalition government of Congress and Janatha Dal (S) was not able concentrate on administration and with one year of life it was dissolved. Now the BJP has formed the government but due to lack of majority it is not in a position to provide administration. Re-elections are to be held to all those constituencies whose elected representative changed the party and caused the fall of government. This is disturbance to normal functioning of the government and cannot focus for the service of the people.

Recently in Jarkhand, Haryana and Maharashtra. Nowhere single largest party emerged after elections. Coalition is yet not possible in Maharashtra after month of elections. People want administration and not the fights for power. The thirst of power makes a politician more active and that is necessary for Democracy. But the same should not result in more and more re-elections.

Operational challenges for Election Commission and Government

The Election Commission has to synchronise elections for both Lok Sabha and States Assemblies. At the same time security measures are to be seriously considered as it is for the whole nation at a time. The logistics production and supply on time with quality service is to be provided. When the elections to both state assemblies and the parliament execution should be planned so that there will be no confusion to the common laymen as also. Arranging the personnel with training and effective supervision. In simultaneous elections the personnel is to work throughout the country at a time and expanded task of training, supervising and efficient work extraction is the challenge for Election Commission.

Reducing the cost thereby to save the public money. The perennial elections require to arrange elections often. If it happens at once the cost of arrangement for the same men and material resources will be reduced definitely. Simultaneous elections needs election commission to control the odds that may hit the peaceful and fair elections since it is happening in larger scale. Creating sufficient polling stations and booth arrangement. Based on population the constituencies for both the central and state assemblies are to be arranged a, then based on the area booths are to be arranged. To meet the requirement of increased electorate and the polling booths EVMs, safety storage boxes, security arrangements for ballot boxes, counting, electricity and other material necessary for the conduct of election. More number of EVMs will be needed to be arranged priorly. Election Commission is always facing the problem of finding safe premises for storage of the ballot boxes and counting venue. The same is to be arranged with great care so that the danger of misuse of the EVMs can be prevented.

Conclusion

I say yes to simultaneous elections because feasible and relevant. We need to bring changes in the constitution with the articles – 75 which tells us the tenure and Article 85 which deals with the duration of the houses of parliament is to be amended. Article 172 which deals with the tenure of state legislature are to be made flexible and permit parliament to curtail or extend the tenure for synchronization. Article -174 which deals with the dissolution of the state assemblies, Article 356 Which deals with the powers of President of India to declare emergency in state.

The implementation is difficult but not impossible. Consensus is to be attained so that the constitutional amendment should get consent of half of the state assemblies.

The process of synchronizing both elections needs co-operation among all political parties. It needs non-partisan will and statesmanship of politicians. This will definitely be a positive development to avoid many more illegal practices, manipulation in election, constraints of resources and money used for conducting elections. Most importantly good governance will be possible.

Already some countries like Sweden, Indonesia, South Africa, Germany, Spain, Hungary, Belgium, Poland, Slovenia, Albania are following one nation one election. One may think they are small. There are arguments that if one election to the whole nation then it will be turned as presidential form. Hence we don't need to the same old principle which is irrelevant and unyielding to welfare idea.

There will be no harm to the federal or the democratic structure. Party in power at the centre influences the states with the same political party is unscientific. the same is possible even now also.

The idea of simultaneous elections is surely a relevant idea for the present time. Always new changes will be opposed in the beginning. Once the positive benefits are understood people start accepting them. But the intellectuals, the political scholars and leaders have to think beyond party politics. Every politician should think of it as a statesman. If at all the new project is going to harm the basic principles of democracy, the same is to be dropped. If the same is relevant for the existing political conditions and serves without harming the democratic principles, then no need to worry about the challenges to be faced.

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