

One India One Election

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03

22.03.2017

The Prime Minister recently announced the need for widespread discussions for holding both the Lok Sabha and Assembly elections together. It was quickly endorsed by the President. The success of BJP in the elections to the five states held recently has fuelled speculation that the government would push forward with this major reform in easing the administrative burden on the Election Commission of India conducting elections all through the year and releasing ministerial time used in electioneering across the country.

The term of the state assembly is five years unless it is dissolved earlier. The term of the Vidhan Sabha can be extended during an emergency but not more than six months at a time. The maximum strength of a Vidhan Sabha is 500 and the minimum 60. By an Act of the parliament, the size of the Assembly can be reduced to less than 60.

To evolve and change with changes in the Society and environment and to meet contemporary needs, is a necessity for every constitution. Part XX of the constitution contains only one article i.e. 368, dealing with the power of the parliament to amend the constitution without altering its basic structure. 2/3rds of the members present and voting on the constitution amendment bills in both the houses of the parliament is a pre-requisite for a major amendment to take effect. It should also be ratified by at least half the state legislatures (at least 15 now). Most articles of the constitution including elections can be amended by a simple majority of both the houses of the Parliament. However, any curtailment of the regular period of a state legislature would require the tough and the rigid route of endorsement by both the parliament and the state legislature. Amendments may be required for articles 83, 84, 172 and 174 of the constitution.

The Election Commission of India is busy all through the year in conducting various elections to state legislature or the Lok Sabha. The State Election Commissions too hold Corporation, Municipal and Zilla Parishad elections at various times. The frequent conduct of elections involves huge expenditure and use of various other resources of the state. The 79th report of the Parliamentary Standing Committee dealt with the issue of feasibility of holding simultaneous elections. The Election Commission of India has supported this idea and has conveyed this position to the Union Law Ministry in May 2016. If there is a political consensus and will, this could be achieved easily. The BJP manifesto of 2014 promises both state and Lok Sabha polls together.

Simultaneous elections were held in 1952, 1957, 1962 and 1967. But with premature dissolution of state assemblies in 1968 and

1969, this cycle was disrupted. In 1970, the Lok Sabha itself was dissolved early. As a result, for the last 48 years, there have been elections all through the year.

The 2014 Lok Sabha polls were held along with state assembly elections in Odisha, Andhra Pradesh, Sikkim and Arunachal Pradesh. It was spread over 9 phases and 1077 in situ companies and 1349 mobile companies of Central Armed Police Force (CAPF) were deployed.

The basic advantages of holding the elections together is :

- ▶ Huge cut in election expenditure
- ▶ Adverse effect on policy making and Governance by imposition of Model Code of Conduct everytime there is an election can be avoided.
- ▶ Free Central Armed Forces and manpower deployed at regular intervals for election duty. It would be a maximum of 3-4 months in a block of 5 years.
- ▶ Environment benefits like less noise pollution and defacement of public places.

Simultaneous polls will require large scale purchase of Electronic Voting Machines (EVM) and Voter Verifiable Paper Audit Trail (VVPAT) machines. The election commission estimated last year that it would need Rs. 9284.15 crores to procure additional EMVs and VVPATs. Moreover the machines have to be replaced every 15 years. At a time when BSP and AAP have raised the red flag against EVMs after the recent Assembly polls, consensus may not emerge easily for this progressive step. Regional parties are generally opposed to this idea of holding the polls together as they believe that people tend to vote the same party both for the parliament and the state legislature. The Election Commission has estimated that the cost of holding both the elections together is Rs. 4500 crores.

Even after holding the elections together, some state assemblies may run out of their normal tenure due to defections and the government defeated on the floor of the house. After every no confidence motion, there should be a provision for a confidence motion in favour of the party claiming to cobble a majority. In any event, every attempt should be made to form an alternate government before ordering the dissolution of the assembly. Even if elections become a necessity in some states as no party would be able to weave a majority, the tenure of the next assembly should be limited to the period which would coincide with that of the Lok Sabha so that what started 48 years ago will not be repeated. If a fractured mandate is received and the Lok Sabha itself suffers from instability and the need for dissolution of the house arises, the President should form a National Government for the remainder

of the term, If it does not exceed an year from the schedule date of dissolution.

The 16th Lok Sabha was elected in May 2014 and was constituted on 18.5.2014. In the ordinary course, its term comes to an end on 17th May 2019 and the 17th Lok Sabha should be constituted before that. The dates upto which the present assemblies in various states has been constituted is as below:

Name of State	Number of Assembly Seats	Assembly in session till
Arunachal Pradesh	60	6.1.2019
Assam	126	18.5.2021
Bihar	243	7.11.2020
Chhattisgarh	90	1.5.2019
Goa	40	3.2022
Gujarat	182	22.1.2018
Haryana	90	11.2.2019
Himachal Pradesh	68	1.7.2018
Jammu & Kashmir	87	16.3.2021
Jharkhand	81	1.5.2020
Karnataka	224	28.5.2018
Kerala	140	18.5.2021
Madhya Pradesh	230	1.7.2019
Maharashtra	288	11.9.2019
Manipur	60	3.2022
Meghalaya	60	3.6.2018
Mizoram	40	15.12.2018
Nagaland	60	13.3.2018
Odisha	147	6.11.2019
Punjab	117	3.2022
Rajasthan	200	20.1.2019
Sikkim	32	27.5.2019
Seemandhra	175	18.6.2019
Tamil Nadu	234	18.5.2021
Telangana	119	6.8.2019
Tripura	60	14.3.2018
Uttarakhand	70	3.2022
Uttar Pradesh	403	3.2022

West Bengal	294	18.5.2021
NCT of Delhi	70	22.2.2020
Puducherry	30	5.6.2021
TOTAL	4120	

The yearwise schedule of assemblies going to polls is as below:

Year	Assemblies
2018	Arunachal Pradesh, Gujarat, Himachal Pradesh, Karnataka, Meghalaya, Mizoram, Nagaland, Tripura
2019	Chhattisgarh, Haryana, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Sikkim, Seemandhra, Telangana
2020	Bihar, Jharkhand, New Delhi
2021	Assam, Jammu & Kashmir, Kerala, Tamil Nadu, West Bengal, Puducherry
2022	Goa, Uttar Pradesh, Uttarakhand, Punjab and Manipur

There is a school of thought that simultaneous polls would destroy federalism. Indian voters have matured over the last 65 years of electioneering. They have voted out non-performing and corrupt governments. It would be grossly unfair to the Indian voter to assume that he would be inclined to vote the same party if simultaneous polls are held.

Since the 17th Lok Sabha has to be constituted by 17th May 2019, simultaneous polls may require poll duration of 2 – 2 ½ months. The election process will have to commence by early March 2019. The new found euphoria in BJP after the landslide victories in Uttar Pradesh and Uttarakhand will not easily allow curtailing the period of these assemblies. Given the confidence that the Prime Minister enjoys with the electorate, BJP can venture with the constitutional amendments only after it is able to improve its position in the Rajya Sabha in the 2nd half of 2018. Congress has dismissed the simultaneous elections as not practical. If it is taken on board, it would be possible still to have the 2019 elections for the Lok Sabha and all the assemblies together. Every progressive step requires some sacrifice. Only political will and a larger vision for the nation can trigger such bold steps. Narendra Modi is more than equal for this task. It is time we start the national debate on this.