



One Nation-One Poll: An Idea for Exploring Good Governance

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ABSTRACT

The idea of conducting simultaneous elections in the federal structure of government is difficult however it is possible also if we bring revolutionary changes in the Indian election commission through constitutional amendment. The current study is based on secondary data from the previous efforts of experts, orders of governments and opinions expressed by the various stakeholders. And analysis appeared in the newspapers. The present study is qualitative in nature; the researcher used a meta-analysis of the data for the study. SR, Bommai V/s Union of India became evident in a landmark, and the Supreme Court has given thousands of strands for federalism. SR, Bommai V/s Union of India became evident in a landmark, and the Supreme Court has given thousands of strands for federalism, even though "one nation-one poll" is cost-effective and will reduce election expenses, time and effort as well.

Keywords: One nation-one poll; Federalism; Constitutional amendment; Governance

INTRODUCTION

The idea of holding simultaneous elections or "one nation, one poll" means conducting polls to the Lok Sabha and the state assemblies together on a single day or in a phased manner once in five years. This excludes elections to panchayats and state municipalities as well as by elections. The initiative will need a constitutional amendment, which will have to be ratified by 50% of the states. This will make it incumbent on all future governments to implement the provision and not leave the process of holding elections to political convenience. "One nation, one election" means conducting the lok sabha and the state assemblies' elections. Simultaneously, once in five years. It excludes elections to panchayats and state municipalities as well as by elections.

Article 324 of the constitution mandates the Election Commission of India (ECI) to supervise, direct and control elections to the offices of president, vice president, both houses of parliament (Lok Sabha and Rajya Sabha) state legislative assemblies and state legislative councils. Similarly, the 73rd and 74th amendments to the constitution in 1992 facilitated the creation of State Election Commissions (SECs) as authorities mandated to perform the above duties for constituting the third

tier of government in rural and urban areas (Panchayati raj institutions, municipal bodies etc.). There are 31 SECs in the country (Election Commission of India). The purpose of this note, the term "simultaneous elections" is defined as structuring the Indian election cycle in a manner that elections to Lok Sabha and state assemblies are synchronized together (department related parliamentary standing committees). In such a scenario, a voter would normally cast his/her vote for electing members of the Lok Sabha and state assembly on a single day and simultaneously (electoral process and political parties). Synchronized elections do not mean that voting for both Lok Sabha and state assemblies must happen on a single day [1,2].

The objective of the study

- To understand the previous efforts made by government to enact simultaneous election.
- To explore the adaptability of an idea of a 'one nation one poll' for the current situation.
- To examine the constitutional provisions for 'one nation one poll.'

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LITERATURE REVIEW

The current study is based on secondary data from the previous efforts of experts, orders of governments and opinions expressed by the various stakeholders. And analysis appeared in the newspapers. The present study is qualitative in nature; the researcher used a meta-analysis of the data for the study [3].

Historical insight of poll in India

The idea of synchronized elections came up in the first annual report of the election commission of India, published in 1983. Simultaneous elections exist in countries like Sweden, Belgium, and South Africa (law commission). The first Lok Sabha election and all state legislative assemblies of independent India were held together in 1951-52 (election in India, 1951). It continued over three succeeding general elections held in 1957, 1962 and 1967. Lok Sabha and state legislatures went to polls together in 1952 and 1957, with the congress initially comfortably placed all over the country. The synchronised cycle was first broken in Kerala in July 1959, when the centre invoked article 356 of the constitution to dismiss the ministry headed by EMS Namboodiripad of the communist party, which had assumed power after elections in April 1957. This was followed by state elections in February 1960. Though, due to the early dissolution of a few legislative assemblies in 1968 and 1969, the sequence got disturbed for the first time. In 1970, the fourth parliamentary Lok Sabha was dissolved early, and new elections were held in 1971. Thus, apart from the first, second and third Lok Sabha rest of the elections was not conducted sequent [4].

Need for simultaneous election India

Simultaneously, known as one nation, one poll would address various concerns, such as reducing the cost of holding elections and restricting all elections to a single season. In an election in one state or the other at almost any given time, the model code of conduct gets delayed by the government proclaiming projects or policy plans. The simultaneous polls would benefit the nationally dominant party at the cost of regional players and the complications that would arise if any of the governments were to collapse before completing its term. Leave alone state legislatures even the central government could fall. Seven of 17 Lok Sabhas since 1952 were dissolved ahead of schedule in 1971, 1980, 1984, 1991, 1998, 1999 and 2004. There would also be logistical issues, requiring about twice as many electronic voting machines and voter verifiable paper audit trail machines [5].

Federal system and simultaneous election effort

Section 14(2) and 15(2) of the representation of people act, 1951 mandates election commission issue election notification at max six months before the expiry of the normal term of the house. The constitution also requires that the gap between the two legislative sessions not exceed six months. If a state assembly is dissolved before the completion of its term, then the E.C. must conduct elections before six months (special reference case 1 of 2002, 2002). It is believed that simultaneous polls will mix up

regional and national issues, compromising the federal structure due to the possible domination of the national parties. Frequent elections help maintain checks and balances on the elected government's functioning at regular intervals. It is also believed that a large population and geography could create logistical, security and manpower challenges.

DISCUSSION

Constitutional efforts

Article 172 in the Indian constitution about the duration of state legislatures states, "every legislative assembly of every state, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting", though, to hold elections to these assemblies along with the Lok Sabha election.

Enacting the 'one poll, one nation' amendment of article 172 of the constitution, including section 14 of the representation of people act, 1951, will become essential. Because section 14 indicates that the dissolution of the state assembly before its term period is a window of six months available for the election commission to conduct the elections. Hence, the idea of 'one nation, one poll' would be possible only after these constitutional provisions are amended. Amending article 172 in light of the latest recommendations of the law commission is a possibility, though it is a lengthy process that will require efforts (law commission of India, 2018). The current amendment process would be passing a requisite bill in the Parliament at first by the ruling party, followed by the same bill passed in more than half of the states, and finally ratified by the president of India [6].

Federal system consequences

Many political thinkers argue that the fundamental doctrine of the Indian constitution also includes the "federal character". It needs a reiteration that India is a union of states, and under the federal structure, the power has been divided between the state and the centre. Such structure ensures checks and balances, especially when different political parties are ruling the centre and states. Further, regular elections act as a feedback mechanism to the political parties and often act as a check on a powerful executive. And also, many regional political groups have opposed the idea of a 'one nation, one poll.' Still, the Dravida Munnetra Kazhagam (DMK) and Anna Dravida Munnetra Kazhagam (AIADMK) have joined forces with AIADMK to oppose the law commission's one nation, one poll plan. The Vajpayee government conducted a wide ranging investigation and analysis for the "one nation, one poll" in 1999, according to DMK working president MK Stalin; however, it was judged not "viable." Congress, on the other hand, appeared to be stuck in a bind: 'one nation, one poll.' However, a top congress leader stated that congress is opposed to the concept of "one nation, one poll," claiming that it is incompatible with the fundamental basis of federalism [7].

CONCLUSION

The constitution of India authorizes the election commission of India to notify elections to both Lok Sabha and state legislative assemblies six months prior to the end of the normal tenure of the houses. And in added cases, it also has provisions to extend the period of the house for five years, creating a space for simultaneous elections. But in practice, any such pronouncement is bound to be challenged before the Supreme Court, which is the final interpreter of the constitution and its principles. The decision to conduct simultaneous elections can also be challenged on the grounds of conservation the 'basic structure of which federalism is a fundamental part. In the case of SR, Bommai V/s Union of India became evident in a landmark, and the Supreme Court has given thousands of strands for federalism. 'One nation one poll' would be a good change if it could be carried out with the appropriate execution of legislation, taking care of the upcoming requirement for commendable administrative staff and security. A constitutional expert, government officials and representatives of political parties should be designed to work out suitable application related details. The idea is going to be to reduce the cost and efforts of elections at the same time, it is very important to consider the fundamental principle of 'structure federalism' and the democratic value of states.

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