

**INDIA'S TRYST WITH ONE NATION, ONE ELECTION: AN INEVITABLE PROPHECY  
OR A HOLLOW PROMISE?**

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**ABSTRACT**

*The Election Commission of India has recently been in the limelight for rather contentious reasons. With its revision drive in the poll-bound state of Bihar, the issue of electoral reforms has once again assumed the centre stage of political debate. Amid this hullabaloo, what remains unfortunate is the relative neglect of the idea of simultaneous elections, popularly referred to as "One Nation, One Election. "Through this manuscript, the authors endeavour to trace the etymological origins and historical evolution underpinning the notion of simultaneous elections. This pursuit ipso facto necessitates an inquiry into the constitutionality and legality of the scheme vis-à-vis the grand constitutional principles of federalism, democracy, and the basic structure doctrine. Rather than confining the discussion to theoretical or constitutional dimensions, this paper also attempts to assess the practical feasibility of the proposed framework-particularly from an economic perspective. The authors further consider its potential synergy with social development goals and logistical practicality. Ultimately, the paper argues that any move towards such a monumental reform must be preceded by systematic reconciliation with global best practices, rather than implemented haphazardly. At the culmination of this study, the reader will gain a comprehensive understanding of all dimensions of the One Nation One Election debate and be better positioned to form an informed and reasoned opinion on its place in India's democratic future.*

**Keywords:** One Election, Violence, Prejudice, NCRB, One Nation.

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## 1. INTRODUCTION

The Indian democracy today stands at a critical juncture, one where the very guardian of its electoral integrity, the Election Commission of India, finds itself under an unprecedented lens of scrutiny. The institution, once regarded as the sentinel of free and fair elections, now faces growing questions about its credibility and efficiency. The recent Buana Lakhu Sarpanch Case in Haryana, where the judiciary took upon itself the task of counting votes, an exercise traditionally entrusted to the ECI, has raised eyebrows about procedural propriety in electoral matters.<sup>2</sup> Similarly, the challenges surrounding the ECI's Summary Revision exercise in Bihar have reignited public debate over the robustness and transparency of India's electoral processes.<sup>3</sup> Together, these developments underscore a pressing need to revisit the architecture of electoral governance and bring the discourse on electoral reforms back to the centre of national attention.

When it comes to electoral reforms, one of the most significant and widely debated proposals has been that of Simultaneous Elections in India. With the idea of "One Nation, One Election" (hereinafter referred to as ONOE) resurfacing in political discourse, it once again promises to reshape the contours of India's democratic process. What had long remained a subject of academic deliberation and policy debate is now finding renewed momentum. Following the Union Cabinet's approval of the High-Level Committee (hereinafter referred to as HLC) Report on Simultaneous Elections, the Lok Sabha has referred the proposed ONOE Bill to a Joint Parliamentary Committee for detailed examination, marking a crucial step in translating the idea from principle to policy.

The concept that once seemed poised to see the light of day now finds itself at the crossroads of support and scepticism. For its proponents, ONOE is a solution to profligate electoral expenditure, administrative burden, and policy paralysis; for its critics, it threatens to erode the federal and democratic diversity that forms the bedrock of the Indian polity.

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<sup>2</sup> Vineet Bhalla, "SC overturns sarpanch election results in Haryana: When can courts order a recount of votes?", Indian Express (New Delhi), available at <https://indianexpress.com/article/explained/explained-law/courts-recount-votes-election-10196590/> (last visited on 27<sup>th</sup> October 2025).

<sup>3</sup> Association for Democratic Reforms v Election Commission of India, Writ Petition (Civil) No. 640 of 2025, Supreme Court of India, pending.

## 2. OBJECTIVES

The authors endeavour to evaluate the tenacity of suggestions of HLC vis-à-vis the populist juxtapositions advanced from both factions, which will, in turn, form the bulwark of conclusions.

- a. To understand the etymological origin & historical undercurrents of One Nation One Election (hereinafter ONOE).
- b. To verify the constitutionality & legality of the said scheme with regard to federalism, democracy & basic structure.
- c. To scrutinise the economic benefits that are poised to accrue from ONOE, by deploying the Difference-in-Differences model.
- d. To gauge the efficacy of ONOE through a kaleidoscope of social, developmental & logistical prisms.
- e. To check if the practice of ONOE gels well with the global standards.

## 3. DEFINITION: AN ETYMOLOGICAL DISSECTION

ONOE simply means conducting elections at the same time, irrespective of their nature & stature. NITI Aayog's working paper has used the term Simultaneous Election to define this phenomenon. Normally, simultaneous elections would mean the synchronised & coordinated form of elections at three tiers. However, owing to the complexity of the state list & sheer scale of 3<sup>rd</sup> tier institutions, hitherto historical records effectively circumscribed the ambit of simultaneous elections to the 1<sup>st</sup> & 2<sup>nd</sup> tier institutions<sup>4</sup>. Report of HLC, however, altered the contours of this expression drastically by defining 'simultaneous elections' as general elections held for constituting the House of the People, all the State Legislative Assemblies, and Local Bodies together. Though HLC espouses simultaneous elections for all 3 tiers, the report doesn't envisage single-day voting for all the institutions. The Report scintillates pragmatism by emphasising the need to conduct the elections in a phase-wise & systematic manner, which can be deciphered by the fact that the Report asks to conduct elections within 100 days after the elections for Lok Sabha & State Legislative Assemblies.<sup>5</sup>

## 4. HISTORICAL UNDERCURRENTS: A FORGOTTEN PAST?

Elections to the House of People & State Legislative Assemblies were held simultaneously,

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<sup>4</sup> Department of Legal Affairs, "79th Report of Parliamentary Standing Committee" (2015).

<sup>5</sup> Government of India, "High Level Committee Report on Simultaneous Elections in India" 7 (March, 2024).

mostly during the period of 1951-52 to 1967. The aura wielded by the Congress in the initial years post-independence saw a relative decline after 1967 due to the death of their charismatic leaders, natural disasters, wars & economic misfortunes.<sup>6</sup> The political calculations of the opposition were sufficient to clinch the victory in many states; however, the euphoria was short-lived. These governments were etched together by multiple parties with different ideological underpinnings, which collapsed like a pack of cards due to their own inherent contradictions. This resulted in the premature dissolution of some legislative assemblies in the year of 1968- 69.<sup>7</sup> While this was the 1<sup>st</sup> time, the simultaneous elections got derailed temporarily, the 4<sup>th</sup> Lok Sabha was dissolved prematurely in 1971, which was another jolt to the already convalescent simultaneous elections. The extended tenure of the 5<sup>th</sup> Lok Sabha under Article 352, accompanied by the premature dissolution of the 6<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, & 13<sup>th</sup> Lok Sabha, struck the final nail in the coffin, after which holding a simultaneous election has become an uphill task.<sup>8</sup>

## **5. CONSTITUTIONALITY OF ONOE: MEEK ACQUISICENCE OR BLATANT TRANSGRESSION?**

### **5.1 Myriads of democracies, federalism & basic structure**

Democracy is the amalgamation of 2 Greek words, Demos & Kratia/kratien, which means people & rule respectively.<sup>9</sup> Democracies all over the globe differ significantly in their letter & spirit. There is no dearth of such criteria on which democracies can be segregated. One such criterion is federalism; its absence typifies unitary democracies, whereas in its presence, federation flourishes.

Root etymologically, Federalism is derived from the Latin word Foedus, which means agreement or treaty. Federalism is thus a political system engendered via agreement or consensus amongst various constituent units.<sup>10</sup> Countries like the USA have epitomised the 'coming together model' of federalism, wherein few contiguous units voluntarily stitch together a strong union, whereas, on the other hand, countries like Canada are based on the

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<sup>6</sup> Vikas Pathak, How Indira in 1971 ended 'one nation, one election', The Indian Express (Feb 25, 2024, 07:10...), <https://indianexpress.com/Article/long-reads/history-headline-indira-gandhi-one-nation-one-election-9179408/?>

<sup>7</sup> *Ibid.*

<sup>8</sup> B. Debroy & K. Desai, Analysis of Simultaneous Elections: the "What," "Why" & "How," NITI Aayog Discussion Paper 4-5 (2017).

<sup>9</sup> O.P. Gauba, An Introduction to Political Theory 564 (8th ed. 2019).

<sup>10</sup> M. Laxmikant, Indian Polity (5th ed. 2013).

‘Holding together model’ of federalism, in which geographically vast states give autonomy to their provinces for administrative convenience.<sup>11</sup>

Basic structure doctrine of the constitution simply means fundamental features of the constitution, such as democracy, secularism, federalism & the rule of law cannot be amended by the parliament.<sup>12</sup> The jurisprudential odyssey from the Kesavananda Bharati<sup>13</sup> to the S.R. Bommai<sup>14</sup> veered the very trajectory of basic structure doctrine germane to federalism.

These landmark judgments firmly established, inter alia, federalism as an inalienable limb of basic structure. After a rudimentary analysis of these terms, it is no brainier to discern a synergistic nexus between democracy, federalism & basic structure doctrine; however, the moot question still looms large – how does ONOE affect them, either beneficially or detrimentally?

Answers to these questions lie in the quasi-federal nature of the Indian Constitution.<sup>15</sup> Despite espousing federalism, the Indian Constitution is tilted in favour of the central government. Thus, the oxymoron of centralised federalism is apt to describe the nature of Indian federalism. This paradox of Centralised Federalism can be discerned in the debates of the Constitutional Assembly. Pandit Nehru’s cautious tone that *“it would be injurious to the interests of the country to provide weak central authority which would be incapable of ensuring the peace..... for the whole country in the international sphere”* speaks volumes.<sup>16</sup> Nonetheless, it will be wrong to presume that the Indian constitution is entirely leaned in favour of the union government when it comes to federalism. Remarks of Dr. Ambedkar during the Constitutional assembly debate that, *“the constitution is an Indian constitution.... Union is not a league of states ...nor are the states the agencies of the union deriving power from it. Both the Union and the states are created by the Constitution, both derive their respective autonomy from the Constitution.”* stands as the testimony to the fact that federalism, though tilted towards the centre it’s not arbitrary.<sup>17</sup>

Thus, the concerns of nearly half a dozen parties are not entirely unsubstantiated. During

<sup>11</sup> Alferd Stephan, Federalism & Democracy: Beyond the US model, Journal of Democracy 19-34 (1999).

<sup>12</sup> Kesavananda Bharati v. State of Kerala (1973) 4 SCC 225, 484-975.

<sup>13</sup> *Ibid.*

<sup>14</sup> S.R. Bommai vs Union of India (1994) 3 SCC 1.

<sup>15</sup> A.K. Ghosh, The Paradox of Centralised Federalism: An Analysis of the Challenges to India’s Federal Design ,272, ORF Occasional Paper 4-5 (2020).

<sup>16</sup> Constitution Assembly Debates, Volume V on August 20, 1947, <https://www.constitutionofindia.net/debates/20-aug-1947/>, (Last visited Nov.15, 2024).

<sup>17</sup> Constitution Assembly Debates, Volume VIII, 33, <https://www.constitutionofindia.net/constituent-assembly-debate/volume-8/> (Last visited Nov.15, 2024).

simultaneous elections, the surmises that national parties may dominate even the domestic landscape cannot be brushed off entirely as opportunistic. It's reasonable to assume that issues of national importance, up to a certain extent, will take precedence over domestic woes. Academician Csaba Nikolenyi, in his research paper, also highlighted this impact. The words *“separation of national & sub-national electoral cycles facilitated the emergence & proliferation of state-based & regional parties that benefited from the isolation of national issues from the local electoral context”* bear credence to this fact.<sup>18</sup>

The study of the Centre for Developing Societies & Association of Democratic Reforms also effectively establishes a linear direct relationship between simultaneous elections & similar voting patterns. Another Article by Prof. Sanjay Kumar published in The Hindu & the study conducted by IDFC does imply the same.<sup>19</sup> The conclusion derived from both of them is quite similar – the electoral outcome during simultaneous elections at each level tends to be the same. i.e., voters' preferences during simultaneous elections will be relatively the same.

Whether it is the doctrine of expansion & doctrine of reduction enunciated by former CJI Deepak Mishra or the erasure of monolithic identity due to the horizontal as well as vertical societal divisions as advanced by Subhash Kashyap, HLC reports endeavour to highlight that federalism suffers no seizures because of the ONOE. From the Aam Adami Party's sweeping victory in 2015 to the steadily rising voting share of Biju Janata Dal since 2014, instances have been pinpointed without recognising the underlying factor that these solitary instances are more of an exception than a rule.<sup>20</sup>

In conclusion, the critics' assertion that ONOE is an affront to democracy and the spirit of federalism, though somewhat exaggerated, isn't wholly unfounded. HLC's responses are somehow brusque & abrupt, failing to address the issues beyond a reasonable doubt. The concerns of regional parties are reasonable, isn't it mere paranoia!

## 6. THE LEGAL QUAGMIRE: THE IMPLEMENTATIONAL RIGAMAROLE

The path one has to traverse in order for this idea to fructify is quite arduous because of the labyrinthine maze of legalities. An utmost caution needs to be exercised, as one wrong step on these legal landmines would lead to a catena of events, which would be catastrophic enough to keep the idea in abeyance for years to come. Thus, HLC identifies these soft underbellies and

<sup>18</sup> Csaba Nicolini, Concurrent Elections & Voter Turnout: The Effect of the De-Linking of State Elections on Electoral Participation in India's Parliamentary Polls, 1971-2004, Vol. 58(1), Political Studies 214-233, (2010).

<sup>19</sup> Sanjay Kumar, The Case Against Simultaneous Polls, The Hindu (Sep 27, 2016, 12:24 am), <https://www.thehindu.com/opinion/lead/The-case-against-simultaneous-polls/Article15000825.ece>.

<sup>20</sup> *Supra* note 3 at 153.

recommends a slew of measures that will ensure that the sail of ONOE will be smooth during the voyage.

In terms of constitutional jurisprudence, ONOE presents a plethora of challenges which can be summarised as follows:

- a. Synchronisation of tenures of Lok Sabha & State Legislative Assemblies.
- b. Possible extension or truncation of tenures of State Legislative Assemblies.
- c. Possibilities of premature dissolution of Lok Sabha & State Legislative assemblies.

The single most significant roadblock in this project is to bring the terms of the Lok Sabha & Legislative Assemblies on the same page. Bringing their terms in sync with each other entails either the reduction or enlargement of the terms of some assemblies. The modus operandi, as per the HLC, is to first conduct the simultaneous elections for Lok Sabha & state legislative assemblies, soon to be followed by elections to the panchayats & municipalities within 100 days. The chances of tweaking the term of Lok Sabha to make it coterminous with all legislative assembly elections are meagre. Thus, it will be mostly the state assemblies that will be at the receiving end. As per article 83(2)<sup>21</sup> & article 172(1)<sup>22</sup> of the constitution, terms for both, Lok Sabha & the State Legislative Assembly are pegged at 5 years unless dissolved earlier. The President & the Governor of the state have the sole prerogative to dissolve the Lok Sabha & State assemblies under the purview of articles 85 (2)(b) & 174 (2)(b) respectively.<sup>23</sup> In the Premature dissolution of State Assemblies, Article 356 is also relevant, by which the terms of State Assemblies can be extended beyond 5 years.<sup>24</sup> Sections 14 & 15 of the Representation of the People Act 1951 also come into the fray as it empowers ECI to notify elections at both levels, 6 months before the end of their usual terms.<sup>25</sup>

### 6.1 Article 368 & plenary power

It was in the Kesavananda Bharti, the apex court held that “*Every Constitution is expected to endure for a long time. Therefore, it must necessarily be elastic..... generation to come.*”<sup>26</sup> To maintain this *sui generis* nature of the constitution, the founding fathers bestowed upon the parliament to amend the constitution through Article 368.<sup>27</sup> The 1<sup>st</sup> limb of Article 368

<sup>21</sup> The Constitution of India, art. 83(2).

<sup>22</sup> The Constitution of India, art. 172(1).

<sup>23</sup> The Constitution of India, arts. 85 (2)(b), 174 (2)(b).

<sup>24</sup> The Constitution of India, art. 356.

<sup>25</sup> The Representation of the People Act, 1951 Act 43 of 1951 ss. 14, 15.

<sup>26</sup> *Supra* note 3 at 281.

<sup>27</sup> The Constitution of India, art. 368.



empowers parliament to amend the constitution with a special majority, whereas the other limb talks about the proviso to Article 368(2) under which not only a special majority would be sufficient, but the ratification by ½ of states is also *sine qua non*.<sup>28</sup> Thus, the amendments proposed by the HLC can be bifurcated into 2 sections: one that will require ratification by the states & the other that doesn't.

For the sake of synchronisation, the HLC report has introduced a slew of new terminologies, which, if imbibed into the constitution through Article 368(1), make the implementation less arduous. Whether it will be Article 83(2), 83(3) or Article 83(4), each insertion brings out terms like full term, mid-term in parlance. The report simply imitates the same for state assemblies through Articles 172(1), 172(4), 172(3) respectively.

Another perplexing addition that the HLC report recommends is the construction of the appointed date. The appointed date here carries huge importance as tenures of these assemblies will effectively be pegged with that of subsequent general elections.<sup>29</sup>

## **6.2 The dice of uncertainty: from hung house to no-confidence motion**

HLC recommends that in any untoward event like a hung assembly, a no-confidence motion, which may derail the train of simultaneous elections, fresh elections can be conducted for the constitution of the new house. HLC limits the tenure of this house effectively till the remainder of the prior term, i.e. only the unexpired term of the immediately preceded house & expiry of the period serves as a dissolution of the house.<sup>30</sup>

## **6.3 Single electoral roll**

The origin of the electoral roll harks back to the beginning of the 19<sup>th</sup> century, when the Indian Council Act of 1909 was rolled out.<sup>31</sup> It was the Representation of the People Act of 1950, which heralded, *inter alia*, the delimitation of constituencies & preparation of electoral rolls.<sup>32</sup> The subject of provincial elections always belonged to the provincial list as far as the colonial past is concerned. However, during constitutional assembly debates, Dr B.R. Ambedkar strongly pitched in favour of having central & state legislatures in the union list. The apprehensions cast regarding the misuse of such power can be discerned from the following remarks.<sup>33</sup>

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<sup>28</sup> *Ibid.*

<sup>29</sup> *Supra* note at 276.

<sup>30</sup> *Supra* note at 277.

<sup>31</sup> The Indian Councils Act, 1909 (9 Edw. 7 c. 4).

<sup>32</sup> Representation of the People Act, 1950 (Act No. 43 of 1950).

<sup>33</sup> Constitutional Assembly Debates, Volume VIII, June 15, 1949.



*“No person who is entitled to be brought into the electoral rolls on the grounds which have already mentioned in the constitution, ..... should be excluded merely as a result of the prejudice of a local government, or the whim of an officer.”*

HLC report thus lists the benefits that a single electoral roll can have, whether it is minimising redundancy & duplication across the spectrum or the streamlined & seamless resource utilisation. As the preparation of the common electoral roll & single elector's photo identity card *de jure* signals the involvement of state subjects of Schedule VII, parts IX & IX A, the ratification by states becomes important.

#### **6.4 The local bodies**

No one else recognised the latent potential of local authorities better than Mahatma Gandhi. The dictum of *“Independent must begin at the bottom.... Life will be a pyramid with the apex sustained by the bottom”* finally fructified when the 73<sup>rd</sup> & 74<sup>th</sup> Constitutional amendments were passed in the year 1992.<sup>34</sup> With more than 2 lakhs of gram panchayats & 3 thousand plus municipalities, it was neither logistically prudent nor practically feasible to ask for elections simultaneously at such a gargantuan level.

Therefore, the HLC report provides a buffer period of 100 days from elections to the Lok Sabha & State Legislative Assemblies. However, even if these elections to local bodies are to be held within 100 days, certain constitutional tweaking is still required. Thus, HLC suggests that in order to bring the election to the local bodies on par with that of state & central elections, insertion of Article 324A & amendment of Article 325 are necessary, which will require the ratification of the states.<sup>35</sup>

In a nutshell, it is quite evident that constitutional jurisprudence will be playing a seminal role if this idea wants to fructify. As certain amendments require ratification by the states, we cannot afford to proceed in a frenzied manner. If we ponder the current political numerical calculations, even passing amendment bills with a special majority seems laborious.

### **7. FINANCIAL REPERCUSSIONS: THE QUESTION OF EXCHEQUER**

One of the primary reasons attributed by the proponents of ONOE is the cost benefits involved in it. As per Niti Aayog's working paper on simultaneous elections, the expenditure that the government of India has to incur during election cycles has been on a constant rise.<sup>36</sup> For

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<sup>34</sup> The Constitution (Seventy-third and Seventy-fourth Amendment) Acts, 1992.

<sup>35</sup> *Supra* note at 276-277.

<sup>36</sup> B. Debroy & K. Desai, Analysis of Simultaneous Elections: the “What,” “Why” & “How,” NITI Aayog Discussion Paper (2017).

instance, in the 2014 elections, the Government spent 3780 crores, nearly 3 times more than what they spent in 2009 (1115 crores).<sup>37</sup> Thus, the argument that the arduous cycle of elections has strained the state coffers does find merit; however major question that still looms is, can simultaneous elections solve this economic lacuna, or will they further exacerbate the extant situation?

### 7.1 difference-in differences analysis

The findings of the research paper titled "*Macroeconomic Impact of Harmonising Electoral Cycles*"<sup>38</sup> Indicate that, on average, real GDP growth is notably higher following simultaneous elections, whereas a decline is observed after non-simultaneous elections. The data reveal a post-pre difference of approximately 1.5 percentage points in real national growth. To contextualise the magnitude, 1.5% of GDP translates to INR 4.5 lakh crores in the Financial Year 2024-roughly ½ of public expenditure on health and 1/3 of that allocated to education.<sup>39</sup>

Secondly, on average, the Consumer Price Index (CPI) annual inflation rate is lower during simultaneous election cycles than non-simultaneous ones, particularly in the pre-election period. While inflation rates tend to decline around both types of elections, the reduction is more pronounced in simultaneous cycles, evidenced by a difference-in-difference estimate of 1.1 percentage points.<sup>40</sup>

However, simultaneous elections exhibit a complex influence on fiscal deficits. Although they initially contribute to greater fiscal stability through restrained spending, they often precipitate substantial post-election expenditures, leading to a higher fiscal deficit compared to non-simultaneous election cycles. While simultaneous elections streamline election-related expenses into a single cycle, this structure may inadvertently prompt increased spending shortly after, largely due to fulfilling pre-election commitments and offering concessions, which risks undermining fiscal health if not prudently managed.<sup>41</sup> Thus, while simultaneous elections introduce certain fiscal efficiencies, they do not inherently improve long-term fiscal stability without measures to regulate post-election spending.

### 7.2 Investment, labour & productivity

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<sup>37</sup> Election Commission of India, Election Expenditure, Electoral Statistics Pocket Book 2016, 125-127, (2016), <https://www.eci.gov.in/electoral-statistics-pocket-books>.

<sup>38</sup> N.K. Singh, Prachi Mishra, et.al., "Macroeconomic Impact of Harmonizing Electoral Cycles: Evidence from India" (June 2024).

<sup>39</sup> *Id* at 15.

<sup>40</sup> *Supra* note 3 at 162.

<sup>41</sup> *Supra* note 37 at 3.

Simultaneous elections correlate with an average 0.5 percentage point increase in the GFCF to GDP ratio, evidencing reduced economic disruptions and fostering a stable environment for capital investments. Temporal yet frequent migration of labourers intra & interstate disrupts production activities, generating significant economic costs and jeopardising fulfilment of domestic and international contractual obligations. These recurrent disruptions underscore the importance of considering a synchronised election system to alleviate the financial and operational strains on this critical workforce.<sup>42</sup>

In a nutshell, Simultaneous elections foster a stable investment environment, reduce inflationary pressures, and promote capital-focused spending, aligning fiscal priorities toward sustainable growth and renewable infrastructure. While they necessitate careful management of post-election fiscal expansions, their potential to streamline government expenditures, reduce disruptions for the migrant workforce, and encourage sustainable development makes synchronised elections a transformative approach to national progress.

## **8. SOCIAL RUBRIC & SIMULTANEOUS ELECTIONS**

### **8.1 Education**

The impact on education becomes markedly predictable with a synchronised five-year election cycle. In contrast, asynchronous elections amplify disruptions, affecting educational continuity up to fourfold due to increased polling frequencies. Public school teachers are frequently enlisted for election duties, and polling or vote counting often takes place in schools, leading to significant teacher absenteeism. The HLC analysis shows that non-simultaneous elections correlate with roughly a half-percentage-point decline in primary enrolment as a share of the population, underscoring the educational costs of staggered electoral cycles.<sup>43</sup>

### **8.2 Security & law & order**

Another issue repeatedly accentuated is the gargantuan involvement of official personnel in election duties. For the 16<sup>th</sup> Lok Sabha elections, ECI availed the service of nearly 10 million personnel as polling officials. Apart from those entrusted with polling-related chores, almost 1349 companies of Central Armed Police Forces were roped in by the ECI to ensure the voters can cast their vote in a safe & secure environment.<sup>44</sup> To ensure robust security, the ECI primarily relies on the (CAPF), though the supply often falls short of demand. To bridge this gap, the ECI frequently enlists additional support from Home Guards and State Armed Police

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<sup>42</sup> *Supra* note 37 at 36.

<sup>43</sup> *Supra* note 3 at 198-224.

<sup>44</sup> Department of Legal Affairs, "Law Commission of India Draft Report" 9-10 (2018).

units.<sup>45</sup> There is no denial of the fact that values such as fair and transparent elections should not be compromised; however considerable amount of time these professionals have to devote to something that is out of the purview of their usual course of employment is something we should ponder upon. Though polling officials' stints are usually shorter & are confined only during the actual elections, history is replete with instances where such officials have raised voices against such responsibilities. While polling officials' duty is relatively of shorter duration, military personnel's involvement in such exercises is prolonged.<sup>46</sup> Although HLC acknowledges ONOE's benefits, simultaneous elections will result in a sudden demand for substantial resources in a shorter window. How can ECI ensure safe and effective polls without jeopardising national duties, given its current operational struggles? This remains open ended question, which the HLC report hasn't answered sufficiently. The NCRB Report is a testimony to the fact that while both simultaneous and non-simultaneous elections correlate with heightened crime rates, moreover, according to the former election commissioner S.Y. Qureshi, "*elections are polarising events*" which have accentuated casteism, communalism, corruption and crony capitalism,<sup>47</sup> the increase is notably less pronounced in simultaneous elections.<sup>48</sup> This suggests that a synchronised electoral approach may mitigate the intensity of security strains, presenting a more efficient model for managing both public safety and resource utilisation.

## 9. MODEL CODE OF CONDUCT: DEATH STROKE FOR DEVELOPMENT?

The 2<sup>nd</sup> argument against continuous cycles of elections is the continuous obligation of the Model Code of Conduct. In simple terms, it implies that continuous elections often lead to frequent imposition of the model code of conduct, thereby hampering governmental activities.<sup>49</sup> Now, to analyse the credibility of such claims, it is necessary to understand what exactly the Model Code of Conduct (hereinafter referred to as MCC) is. MCC is a set of norms that lays down several dos & don'ts that political parties, contesting candidates have to strictly follow during elections.<sup>50</sup> As Article 324 establishes the mandate of the Election Commission

<sup>45</sup> Press Trust of India, 3.4 lakh central security personnel to be deployed in Lok Sabha polls, The Hindu (March 16, 2024 07:45 pm), <https://www.thehindu.com/news/national/34-lakh-central-security-personnel-along-with-state-forces-to-be-deployed-in-lok-sabha-polls/Article67958210.ece> .

<sup>46</sup> *Supra* note 43 at 10.

<sup>47</sup> S. Y. Quraishi, "*Holding LS, Assembly Polls Together is Desirable But Not Feasible*," The Quint (September 05, 2016), <https://www.thequint.com/opinion/holding-ls-assembly-polls-together-is-desirable-but-not-feasible> .

<sup>48</sup> National Crime Records Bureau, Crime in India 2021: At a Glance – IPC Crimes Over the Years 1981-2021, Statistics, Volume I, (Ministry of Home Affairs, Government of India, New Delhi, 2021).

<sup>49</sup> Election Commission of India, <https://www.eci.gov.in/mcc/> (Last visited Nov. 15, 2024).

<sup>50</sup> The Constitution of India, art. 324.

of India with regard to the supervision, direction & control of elections of Lok Sabha & State legislative councils, it is ECI that enforces the MCC soon after the election dates are announced and remains operational till the completion of elections.<sup>51</sup> During MCC, except for routine administrative acts, capital projects, welfare & developmental schemes go in abeyance or are deferred. To gauge the pernicious downturns of the MCC, a cursory glance at statistics will be more than enough. Niti Aayog's analysis showcased that during 2014, welfare activities were in abeyance for 7 months due to the MCC of Lok Sabha, whereas for the assembly elections that took place simultaneously with the Lok Sabha elections, welfare activities were suspended for approximately 2 to 3 months.<sup>52</sup>

However, it is important to note that, according to the Election Commission of India, the MCC restricts only new projects, programs, or financial grants that could influence voter behaviour in favour of the ruling party. Ongoing projects, where beneficiaries were identified before the MCC came into effect, are not affected. The ECI has clarified that it does not prevent schemes aimed at addressing emergencies, calamities, or welfare initiatives, such as those for the elderly.<sup>53</sup> The MCC applies only to the constituencies or states undergoing elections, not to other areas. Furthermore, various government departments, exercising caution, often refer even routine matters to the ECI, which has been efficient in approving proposals, with some disposed of within 24 hours. Hence, the MCC should not be seen as causing complete administrative paralysis.

To put it simply, a synchronised election cycle presents a compelling case for mitigating the adverse socio-political ramifications of frequent elections on educational outcomes, security resources, governance continuity, and societal cohesion. Curtailing repetitive disruptions would enhance educational consistency, conserve critical security forces for primary internal functions, and alleviate administrative stagnation induced by the Model Code of Conduct. Additionally, simultaneous elections could reduce the prevalence of polarising identity politics, which often fractures the social fabric.

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<sup>51</sup> *Supra* note 35 at 8-9.

<sup>52</sup> Election Commission of India, Compendium of Instructions on Model Code of Conduct 2024, 48, (2016), <https://www.eci.gov.in/ecibackend/public/api/download?url=LMAhAK6sOPBp%2FNFF0iRfXbEB1EVSLT41NNLRjYNJJP1KivrUxbfqkDatmHy12e%2FzBiU51zPFZI5qMtjV1qgjFpqyywa9nI30M3VDkpnFjuFbzXSt5tcQINKwRGFYRagsXQUwCbGU493NshNTgs7UQ%3D%3D>.

<sup>53</sup> *Supra* note 2 at 15.

## 10. INTERNATIONAL PERSPECTIVE

In a country as vast and heterogeneous as India, particularly with its niche electorate, the simultaneous examination of international political patterns in elections provides a useful avenue for supporting our democratic rights. Both South Africa and Sweden employ proportional representation through structurally distinct systems. South Africa synchronises elections for its National Assembly and Provincial Legislatures on a five-year cycle. Meanwhile, Municipal Councils operate on a mixed-member proportional representation system, holding elections independently yet within an identical five-year interval. In Sweden, the simultaneous election of the Riksdag, County Councils, and Municipal Councils occurs every four years on the second Sunday of September. Several other nations, predominantly in Latin America, also practice simultaneous elections. The Philippines, Brazil, Bolivia, Colombia, Costa Rica, Guatemala, Guyana, Honduras, and Nicaragua, among others, implement concurrent electoral systems, but it is worth noting that these countries predominantly adhere to a presidential form of governance.

Finally, the German Basic Law of 1949 mandates simultaneous elections for the Bundestag, Landtags, and local councils under a proportional representation framework. Germany further exemplifies electoral and governmental stability through its "constructive vote of no confidence," a security measure that requires the naming of a successor before any Chancellor can be ousted, thus minimising potential governance disruptions.

The author's perspective aligns with the recommendation articulated in the Law Commission of India's 2018 draft report and the patronage by Dr. Subhash Kashyap, a member of the HLC, which advocates for a model mirroring the German system. An alternative proposal suggests synchronising elections for the House of the People and State Legislative Assemblies on the same day, with Municipal and Panchayat elections conducted within a subsequent 100-day window following the conclusion of each term.

## 11. CONCLUSIONS

After weighing the suggestions & recommendations of the HLC report, here are the key conclusions:

- a. The idea of One Nation One Election will effectively check the profligate spending of exchequer, only if planned accordingly!
- b. The constant cycle of elections hampers the developmental activities of the government on a large scale, but blame doesn't fall only on the shoulders of MCC!

- c. Constant elections result in frequent deployment of armed forces & professional personnel, which will be reduced in case of the One Nation, One Election; however, the sudden uptick in the logistical needs even during simultaneous elections can create a ripple effect phenomenon!
- d. One Nation One Election may negatively affect federalism as the national narrative will take precedence over the domestic one; however, such pernicious impact isn't suffice enough to dent the basic structure!
- e. To convert the distant dream of simultaneous elections, major amendments in the legal architecture are required, for which the consent of states is sine qua non, because we cannot eschew that Indian federalism is a testament of cooperation!

Thus, after navigating the labyrinthine maze of democracy, federalism & One Nation, One Election, we are at a crossroads. From this vantage point, 2 paths are perceptible. The one which resembles with *Status Quo* situation & the other is the one which may have some near-future ripples for the larger future good. Irrespective of whichever path the nation traverses, one thing is sure: in both scenarios, Indian polity & democracy will be at stake.



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