



What's wrong with one nation one poll?

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Abstract

The India became independent in 1947 from the Great Britain. The first election was held in 1952 after independence. The election for the Parliament and State Assemblies were simultaneous. The simultaneous elections continued in the next three elections till 1967. There were political reasons due to which elections to parliament and state assemblies were delinked after 1967. Thereafter, there have been separate election processes for the central and state governments for so many years. The huge amount of money is splurged in the elections. Even the state assembly elections are not spared from this run to get into the power at any cost. The candidates supported by their political parties spend huge amount of money and try to win the elections by hook or crook. The frequent imposition of Model Code of Conduct hamper development programme and activities of the Governments. The frequent elections unnecessarily block the growth plans and policies of the nation. The public money spent on the frequent election can be saved and better utilized for the development of the nation by holding simultaneous elections.

Keywords: election, simultaneous election, model code of conduct, political party, black money

Introduction

"Democracy must, in essence, mean the art and science of mobilizing the entire physical, economic and spiritual resources of all the various sections of the people, in the service of the common good of all. -MAHATMA GANDHI (The Election Commission of India, 2015)."

"The election for Parliament and State Assemblies after independence was held simultaneously in 1952. The simultaneous elections were held in 1957, 1962, and 1967 subsequently. The 5th General Elections were scheduled to be held in 1972. But then Prime Minister Smt. Indira Gandhi dissolved the House of people and held the elections in March 1971. The Assembly elections took place as scheduled in 1972. This was delinking of simultaneous elections initially. The delinking was done due to profit motivation of a particular political party. The capricious and politically motivated use of Article 356 led to dissolution of many state assemblies and the delinking process became a norm rather than an exception. The funds collected by national political parties has increased by a whopping 418 per cent in the past 10 years (Singh, 2017)." The black money is used in the elections to lure the voters. "It is evident from the incident in which the Election Commission seized suspect cash, jewellery and other inducements worth over Rs 120 crore in the poll-bound Karnataka. The cash amounting to over Rs 67.27 crore, over five lakh litre of liquor worth Rs 23.36 crore, gold valued at 43.17 crore and other items such as pressure cookers, sarees, sewing machines, gutkha, laptops and vehicles, among others, worth about Rs 18.57 crore had also been seized. The figure also included seized narcotics worth more than Rs 39.80 lakh since the declaration of the elections for the Karnataka assembly (PTI, 2018)."

"The funding of political parties has increased by 35.53 % from Rs 854.89 crore in 2009 to Rs 1,158.59 crore in 2014 general elections. The poll expenditure escalated over a period of last 10 years, as the spending by national political parties during the House of people elections went up 386% (Singh, 2017)."

The Supreme Court in Common Cause v/s Union of India & Others ^[1] held that the Election Commission of India under Article 324 of the Constitution can require the political parties to submit the details of expenditure incurred by them related with the election of their candidates. "In pursuance of this judgment, the Election Commission of India directed to all recognized National and State political parties to submit the account of their election expenses. In the House of people Elections 2014, the Election Commission of India declared that it would keep a watch on the expenditure of all political parties. The expenditure limit for each candidate was set at 70 lakh rupees. The timeline for account of expenses required to be submitted was set as within 90 days and within 75 days of the completion of the election respectively for House of people and Assembly election (The Election Commission of India, 2015)." This has not stopped the parties from spending the huge amount of money in the elections.

The Punjab and Haryana high court in Harbans singh jalal vs. Union of India & others ^[2] held that the model code of conduct commences from the date of announcement of election and remains in force till the results are declared. There are provisions in the Model Code of Conduct which prohibits the ruling government from declaring the soaps for the poll bound constituency so as to ensure that the ruling party and its candidates do not

get an unfair advantage during the elections by the fact that they are in power (The Election Commission of India, 2015).

“The gigantic task force for conducting a countrywide general election consists of nearly five million polling personnel and civil police forces. This huge election machinery is deemed to be on deputation to the Election Commission of India and is subject to its control, extending over a period of a month and a half to two months (The Election Commission of India., 2017).” The simultaneity of election will result in the optimum use of human resources for the activities earmarked for them rather than on frequent elections.

The election expenditure statement as filed by the political parties to the election commission of India shows that election has become an extravagant event. It is evident that the parties are spending huge amount of money even in state assembly elections as comparable to House of people elections. The simultaneous elections will curtail this unnecessary expenditure in frequent state assembly elections and can be used in the developmental activities of the nation. “An analysis of the Sweden and Belgium shows that simultaneous conduct of elections reduces the effort, money and time spent on conducting frequent elections at different levels (Sengupta, 2019).” The model of simultaneity should be replicated in the India.

At present assembly elections are conducted successively. Each time any elections are announced to be held the Model Code of Conduct kicks in and there is no time left for developmental work. The simultaneous elections will save money to the exchequer and the frequent manpower allocation on election can be curtailed. The Elections acts as a breeding ground for corruption. The frequent elections promote corruption. The politicians try to recollect crores of rupees spent in the election by unlawful means.

The elections have become breeding ground for hate speeches, divisive riots based on caste, regionalism etc. The communal harmony is disturbed for vote bank. The elections vent the ire of politics based on caste, community and regionalism. If frequent elections are not stopped than such political tactics will prove to be harmful for the nation.

The logistical and administrative feasibility, would be conveniently used by the Election Commission in case of simultaneous elections. The election arrangement will remain the same and the voters can cast vote for various elections (Tyagi, 2019). “The necessity of consensus among political parties is required because constitutional Amendment is inevitable to achieve the goal of simultaneity of elections. The national integrity will enhance. The formulation and implementation of policies and good governance will become the prime focus of scrutiny throughout the five-year term (Jha, 2019).”

The Election Commission of India would be delighted if there are simultaneous elections. The party tickets are given to persons with criminal background. The rich and the criminal contest the elections and the electors don't have the choice to but to elect the candidate with criminal background. This is against the sanctity of electoral process (Quraishi, 2017). The persons with criminal background should be restrained from contesting the elections. Mere disclosure of details of criminal cases is not sufficient in present author's view.

There is need to stop this vicious cycle of multiple elections every year. It reduces efficiency of the central government to take policy decisions due to probable backlash in the upcoming assembly election. Hence simultaneous elections will promote fearless working of the government (B. P. Singh, 2013). The simultaneous elections will ensure consistency, continuity in governance and reinvigorate the Indian politics (Gupta & Thakur, 2018).

One question raised often is that if any state assembly is dissolved prematurely due to failure of constitutional machinery in the state whether president's rule will continue till the next elections? In present author's opinion there is nothing wrong if the president rule is imposed until the next election.

The mentality of public would be for the development of the nation instead of the development of the state only. The politics of dividing the nation on the basis of regionalism is not good for the country in the long run. The assumption that the regional parties will not have a say in democracy if simultaneous elections are held is a false perception without any basis.

We have seen in past that the ministers given portfolios always announce schemes for their constituency to appease the voters of their own constituency. This reflects the mindset of the elected persons. They feel accountable only for that particular region. They forget that the nation as a whole should grow and there is no place for regionalism if we want to achieve higher goals for nation's development.

This will also stop the policy of ruling political parties to announce voter appeasing agenda before each election. They will be bound to follow "perform or perish altogether" principle. The policy is good for overall development of the nation. The expenditure and diversion of security forces can be kept at minimal. The constitutional amendment can provide for extension or reduction of the term of Legislative Assemblies initially as it is necessary to achieve the said goal.

The India being the largest democracy of the world can set the model to other democratic countries to stop the malaise of frequent elections. The election commission in the year 1983 had recommended the simultaneous elections. The elections are held at different times, that gives politicians the opportunity to do politics throughout the year. This wastage of time and money should be stopped and properly utilized by the party men for constructive work. The situation is so grim that politicians even after getting elected halt the proceedings of the parliament and instead of resolving and discussing the issues of national importance indulge in politicizing the matter and waste the resources of the country and misuse the public money bestowed on them for good governance of the country.

The elections are conducted in India throughout the year be it assembly elections, zila parishad elections, panchayat elections and municipal elections. The wastage of manpower and finance can be curbed and better utilized for development of the country. The corruption can be minimized by simultaneous elections because black money is spent despite the spending limitations by election commission. The demeaning accusations become rampant during elections without any evidence so as to influence the unscrupulous voters.

The attention of those casting doubt about tinkering the democratic set up by simultaneous polls should be drawn to the fact that how much disruption of parliamentary proceedings are done by elected representatives without any constructive discussion. This is the mockery of democracy by those parliamentarians.

“The Law Commission of India in its 170th Report had suggested simultaneous motion of non-confidence in the incumbent government as well as confidence in alternative government to prevent frequent elections (Law Commission of India, 1999).” “Once the simultaneous election system is adopted the menace of frequent elections can be done away with by doing necessary constitutional amendment that prevent premature dissolution of the governments by adopting a model that is followed by the Germans, in which a no-confidence motion and confidence motion both are discussed hand in hand and the former is approved after the later one is approved earlier (Chauhan, 2019).”

The Article 356 was used as a tool for political gain rather than people’s opinion in the past. The simultaneous elections will put the check on such capricious use of power. A Constitutional Bench of the apex Court in the case of S.R. Bomai vs. Union of India ^[3] interpreted the Article 356 and held that the Judiciary can examine validity of such proclamation and restore the dismissed State Government and revive dissolved Legislative Assembly if in court’s considerate view there is malafide use of Article 356. This judgment is a stepping stone in the direction of stability of the state government for the full term of election. This establish the stance of judiciary that is also against frequent elections on flimsy grounds.

The Fixed-term Parliaments Act, 2011 as passed by the British Parliament provides stability and predictability to British Parliament and its tenure. There is need of law having Similar provisions in India to provide stability of the government for the full term of the elected persons. “The simultaneous elections can be conducted in a phased manner as per the existing practice provided voters in a particular constituency vote simultaneously for State Assembly and House of people in the one go (Debroy & Kishore, 2016).”

Conclusion

The author is of the view that there is no harm in conducting simultaneous voting for House of people and state assemblies. This will check the practice of announcing policies and packages to poll bound states. The government will focus on performance-based polling agenda because if they fail to perform during the full 5-year term then the public will aptly respond in the coming elections.

The tendency of appeasing the voters of states by announcing policies based on religion, castes, languages etc. will stop. we have seen that after announcement of elections the person holding higher posts like Prime minister, Chief minister and other ministers start doing rounds and rallies across the states to gain voters faith. There should be ban on such elected persons to do election campaign while they are holding constitutional post because they are representing the collective conscience of the people at large and even the persons who have not voted in their favour. The election is a process to select the representative of the people during their full term of tenure. Once the election is over the elected persons should work for the nation absolving themselves from political party affiliation accorded to them by political parties. There should be a rule on the statute books to enforce this logic. The role of election commission of India should not be limited to conducting peaceful elections only. The responsibility of enforcing the true spirit of electing the people representative should be reflected in their work. The role of election commission of India to put checks and responsibility should be extended for the entire duration of elected persons. This according to me causes a great distraction from the prime focus being the good governance of the country. The development of the nation should not be hindered by differing political party ideologies and election outcome.

The focus of each party should be the overall development of the nation. The quasi-federal structure is there for the good governance of the country not for wastage of public money by conducting elections almost every year. The elected persons will feel the pressure to perform during their entire tenure so as to instill the sense among the electorate that they have acted responsibly and according to their aspiration. There should be provision to call back the elected representative if he works against the wishes of voters and losses the faith of the voters. This will stop the horse trading being done by political parties, each time any election is proposed to be held in any constituency either it be state or national election. The simultaneous elections will remove this scourge and instill the sense among the candidates that they are elected for the welfare of the people not for the benefit of the party. This will tend to stop diversion of the elected persons on petty political issues. Rather they will focus more on the good governance and development of the nation. The huge amount of the money expended during the election is the money collected from the citizens of the country. The public money should be used judiciously instead of wasting it to lure the voters by giving freebies, cash and liquor etc. by political parties without accounting of the money to escape the ceiling of expenses decided by the election commission of India. There should be ceiling for the collection of political party fund because that money is often black money that keeps rounding through illegal channels.

The required constitutional and the representation of people Act amendments should be done so that the simultaneous election becomes a reality as early as possible. The parties should think beyond their personal gain

or loss. The present article discusses about the need of simultaneous elections of House of people and state assemblies to start with. However, this simultaneity can further be extended to zila parishad elections, panchayat elections and municipal elections also in the long run if we have to stop the wastage of public money in frequent elections.

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