

2. Simultaneous Polls – Polity

The Union Law Ministry said that the proposed framework on simultaneous elections does not violate the Constitution's basic structure

Background of the ONOE Bills

Legislative Initiatives (2024) – The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024 and the Union Territories Laws (Amendment) Bill were introduced to operationalise simultaneous elections across India.

Objective – To legally and operationally align the tenure of Lok Sabha and State Assemblies so that elections for both levels are held together.

Core Mechanism Proposed – Assemblies elected after a particular general election will have their terms curtailed or extended so that they all end with the Lok Sabha's term.

Oversight Mechanism – The Bills were referred to a Joint Parliamentary Committee (JPC) to ensure constitutional compliance, especially with respect to the Basic Structure Doctrine.

Stakeholder Consultations – JPC scheduled meetings with the 23rd Law Commission and the Election Commission of India (ECI) on December 4, reflecting the need for broad institutional consensus.

Union Law Ministry's Key Arguments

Constitutional Tenure Flexibility – Articles 83(2) (Lok Sabha) and 172(1) (State Assemblies) specify a five-year term unless sooner dissolved, meaning the Constitution already anticipates variable tenures. The framers of the Constitution intentionally included this clause to deal with political instability or emergencies.

Basic Structure Compliance – The Ministry argues that ONOE does not disturb –

1. Separation of powers
2. Federal structure
3. Democratic accountability
4. Free and fair elections

Only the duration of legislative bodies is modified, not the right to vote or frequency of elections in principle.

No Impact on Government Accountability – Parliamentary democracy ensures continuous accountability through –

1. No-confidence motions
2. Legislative scrutiny
3. Question Hour, CAG reports, Parliamentary committees

Thus, governments remain accountable even during simultaneous elections.

Simultaneous Elections

Concept – Holding elections for –

1. Lok Sabha
2. All State Legislative Assemblies
3. Local bodies (in extended proposal) on the same or near-identical dates.

Historical Context – India had simultaneous elections in 1951–52, 1957, 1962, 1967.

Disruptions occurred due to – Premature dissolution of Lok Sabha (1970), Collapse of State governments, President's Rule interventions. Since then, electoral cycles have diverged widely.

Arguments in Favour of ONOE

Reduced Election Expenditure – Elections involve massive costs –

1. Security deployment
2. Polling personnel
3. EVM/VVPAT logistics
4. Temporary infrastructure

Simultaneous polls reduce duplication and frequency of expenditure.

Administrative Efficiency – Multiple elections require repeated use of –

1. Teachers as polling officers
2. Police forces (CAPFs + state police)
3. District administration workforce

Simultaneous polls free up these resources for development work.

Reduced Model Code of Conduct (MCC) Burden – Frequent elections result in –

1. Halt on welfare schemes
2. Restrictions on announcements
3. Restrictions on transfers and new projects

One consolidated election minimises governance disruptions.

Enhanced Policy Continuity – With reduced political uncertainty and campaigning, governments can –

1. Plan long-term projects
2. Implement multi-year policies
3. Avoid populist disruptions ahead of staggered elections

Strengthened Accountability – Voters evaluate national and state governance at the same time, creating –

1. More aligned political mandates
2. Better coordination between Centre and States
3. Greater focus on governance rather than constant political rhetoric

Increased Cooperative Federalism – A synchronised electoral cycle provides –

1. More predictable policy timelines
2. Better Centre–State coordination
3. A unified development agenda

Arguments Against ONOE

Logistical and Operational Complexity – Conducting simultaneous elections would require –

1. Massive deployment of security forces
2. 40–50 lakh EVMs/VVPATs concurrently
3. Over 12 lakh polling stations ready on the same day
4. Synchronised training for millions of polling staff

Dilution of Local and Regional Issues – State-specific issues may get overshadowed by national narratives. Possibility of “national wave” influencing state outcomes unfairly. Regional parties may get systematically disadvantaged.

Constitutional and Legal Complications – Extensive amendments needed –

1. Articles 83, 85, 172, 174, 356
2. People’s Representation Act
3. Anti-defection law modifications

Risk of disturbing the delicate constitutional balance.

Federalism and State Autonomy Concerns – Curtailing or extending Assembly terms –

1. Undermines state self-governance

2. Imposes a uniform timeline on diverse political realities
3. Weakens the federal spirit of independent state mandates

Political Instability and Mid-Term Scenarios – Questions arise – What happens if a state government collapses mid-term? Should President's Rule last until next general election? Should a temporary government be formed for a short duration? This creates grey areas requiring new constitutional safeguards.

Way Ahead – Recommendations, Reforms, and Steps

Phased Alignment from 2029 Onwards – Law Commission likely to propose – Plan for synchronising elections for – Lok Sabha, State Assemblies, Local bodies (Panchayats + Municipalities) Implementation beginning with the 2029 election cycle.

Constitutional Amendments Framework – Changes required may include – Fixing “constructive vote of no-confidence” Creating mechanisms for caretaker governments Setting rules for mid-term dissolution scenarios Harmonising the tenure of state legislatures

Institutional Strengthening – Greater coordination among –

1. Election Commission of India
2. State Election Commissions
3. Law Commission
4. Ministry of Law and Justice
5. Ministry of Home Affairs
6. Finance Commission (for election funding)

Infrastructure & Technology Improvements – Additional EVMs/VVPATs to conduct large-scale simultaneous elections. Digital voter rolls synchronised across states. Increased storage and security facilities.

Political & Federal Consensus – Constitutionally, ONOE cannot succeed without –

1. Two-thirds majority in Parliament
2. Ratification by at least half the States

Building trust and consensus is crucial before implementation.

Conclusion

ONOE is a transformative but highly complex electoral reform. It aims to streamline governance, reduce costs, and stabilise policy cycles. However, it raises significant concerns regarding federalism, logistical feasibility, and democratic representation. A carefully phased, consensus-based approach—likely starting 2029—appears to be the pragmatic way forward, balancing national efficiency with state autonomy.

Source – <https://www.thehindu.com/news/national/union-law-ministry-defends-simultaneous-polls-proposal-says-curtailling-tenure-not-against-basic-structure-of-constitution/article70330978.ece>