Kovind Committee report on Simultaneous Elections

Why in news?

The High level committee on One Nation, One Election recently submitted its report to the President.

What is One Nation, One Election?

- It means that the voters will cast their vote for electing members of the Lok Sabha and the state assemblies on a single day, at the same time or in a phased manner as the case may be.
- **Simultaneous Elections**- It refers to structuring the Indian election cycle by synchronizing the elections to Lok Sabha and State Assemblies.
- **Historical context**- Simultaneous elections were previously implemented in 7 states in 1957 to streamline the electoral process and enhance administrative efficiency.
- **Decline of simultaneous election**-The simultaneous elections which was implemented in 1957 ceased after 1967 due to various factors such as constitutional provisions allowing dismissal of state governments and the collapse of coalition governments.
- **Current scenario-** The elections to the state assemblies and the Lok Sabha are held separately (whenever the incumbent government's 5-year term ends or whenever it is dissolved).

To know more about simultaneous elections click here

Why the government is in favour of conducting simultaneous elections?

- **Financial burden-** Frequent elections burden the government exchequer with additional expenditure. If the expenditure incurred by political parties is also added, these figures will be even higher.
- **Uncertainty-** Asynchronous elections cause uncertainty and instability, adversely affect supply chains, business investments and economic growth.
- **Disruption of government machinery-** The staggered nature of elections disrupts the functioning of government machinery, leading to *administrative challenges* and *hardships for citizens*.
- **Impact of Model Code of Conduct-** The frequent imposition of the Model Code of Conduct (MCC) can cause *policy paralysis* and slows down the pace of the developmental programmes.
- **Voter's fatigue-** Staggered elections induce 'voters' fatigue' and present a significant challenge in ensuring their participation.
- **Disrupt duties -** The frequent use of government officials and security forces adversely affect discharge of their duties.

What are the key highlights the committee's recommendations?

High level committee

- **Purpose-** It was set up to recommend constitutional amendments for simultaneous elections to Lok Sabha, State assemblies, and local bodies.
- **Chairman-** Former President Ram Nath Kovind.
- **Launch year**- 2023

- **Constitutional amendments-** The committee suggests amending the Constitution to enable simultaneous elections in two steps.
- **First step**- It involves simultaneous elections to Lok Sabha and State Assemblies *without requiring state ratification*.
- **Second step**- It involves synchronizing local body elections with national and state elections, *requiring ratification by at least half of the states,* which would be held *within 100 days*.
- **Article 82(1)-** It is introduced by the committee in the Constitution to establish the process for transitioning to simultaneous elections.
- **Amendment to tenure-** Articles 83 and 172 must be amended to redefine the terms "full term" and "unexpired term" for Lok Sabha and state Assemblies, respectively, in case of dissolution before completion.
- The new provisions ensure that the replacement Lok Sabha or state Assembly serves only the unexpired term before dissolution upon completion of simultaneous elections.
- **Election preparation**-To prepare *single electoral roll* and *electoral photo identity cards* for use in elections to all the three tiers of government, the Constitution should be amended which requires ratification by not less than one-half of the states.
- **Conduct fresh elections**- In the event of a *hung House, a no-confidence motion, or any such event*, fresh elections should be held to constitute the new Lok Sabha or State Assembly for the unexpired term of the House.
- **Logistics planning**- To meet logistical requirements, the Election Commission of India will plan and estimate logistical requirements (manpower, polling personnel, EVM/VVPAT etc.,) so that free and fair simultaneous elections are held in all the three tiers of the government.

How the Kovind committee addresses the concerns with simultaneous elections?

Concerns	Clarification by the committee
• **Unconstitutional**- It requires premature dissolution of state Legislative Assemblies, which could be against the people's will. • Altering fixed terms for Parliament and Assemblies would violate the Constitution's basic structure.	• While Articles 83 and 172 specify a maximum term of 5 years, they do not mandate a minimum term. • **Free and fair election**- The committee emphasizes on the *Golden Triangle of the Constitution* (Article 14, 19 and 21), it says that the simultaneous elections don't "impinge upon citizens' rights under *Part III or rule of law* or any other feature such as a free and independent judiciary

• **Against democratic principles**- One Nation, One Election would hamper the electoral process. • The scheme would also violate the rights of citizens.	• **Resource utilization**- It argues that simultaneous elections would optimize the use of time, reduce financial burden which is a major concern of free and fair elections. • **Improve governance**- The governments would focus less on populist measures, leading to better governance.
• **Undermines federalism**- The simultaneous elections would infringe upon states' rights	• **Article 327**- It grants Parliament the authority to make provisions for all election-related matters to both Houses of Parliament and State Legislatures, including electoral rolls and constituency delimitation. • **Article 328-** It allows States to legislate on elections to their Legislative Assembly to the extent that it is not covered by Parliamentary legislation. • It asserts that simultaneous elections do not encroach upon States' constitutional rights in this regard.
• **Failure to address special conditions**- The proposal lacks lacks provisions to address the issue of a hung Parliament/Assembly.	• **Sarkaria commission-** It talks about this commission which addressed the issue and gave suggestions to address the challenge. The Governor can do the following in the same order of preference. • Invite pre-election coalition • Largest party to stake the claim with the support of others, including independents. • Post-election coalition of parties can be invited • Post-election coalition with some parties in the coalition form the government, and others support it from outside. • The report mentions that the government, the leader of the House, and the elected executive must have the confidence of the House.

References

1. Indian Express- Key recommendations of Kovind panel
2. Indian Express- Concerns addressed in Kovind panel report

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