

## 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
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- **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
<ul style="list-style-type: none"><li>• <b>Unconstitutional-</b> It requires premature dissolution of state Legislative Assemblies, which could be against the people's will.</li><li>• Altering fixed terms for Parliament and Assemblies would violate the Constitution's basic structure.</li></ul>	<ul style="list-style-type: none"><li>• While Articles 83 and 172 specify a maximum term of 5 years, they do not mandate a minimum term.</li><li>• <b>Free and fair election-</b> The committee emphasizes on the <i>Golden Triangle of the Constitution</i> (Article 14, 19 and 21), it says that the simultaneous elections don't "impinge upon citizens' rights under <i>Part III or rule of law</i> or any other feature such as a free and independent judiciary</li></ul>

<ul style="list-style-type: none"> <li>• <b>Against democratic principles-</b> One Nation, One Election would hamper the electoral process.</li> <li>• The scheme would also violate the rights of citizens.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Resource utilization-</b> It argues that simultaneous elections would optimize the use of time, reduce financial burden which is a major concern of free and fair elections.</li> <li>• <b>Improve governance-</b> The governments would focus less on populist measures, leading to better governance.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Undermines federalism-</b> The simultaneous elections would infringe upon states' rights</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Article 327-</b> 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.</li> <li>• <b>Article 328-</b> It allows States to legislate on elections to their Legislative Assembly to the extent that it is not covered by Parliamentary legislation.</li> <li>• It asserts that simultaneous elections do not encroach upon States' constitutional rights in this regard.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Failure to address special conditions-</b> The proposal lacks provisions to address the issue of a hung Parliament/Assembly.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Sarkaria commission-</b> 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.</li> <li>• Invite pre-election coalition</li> <li>• Largest party to stake the claim with the support of others, including independents.</li> <li>• Post-election coalition of parties can be invited</li> <li>• Post-election coalition with some parties in the coalition form the government, and others support it from outside.</li> <li>• The report mentions that the government, the leader of the House, and the elected executive must have the confidence of the House.</li> </ul>

## References

1. [Indian Express- Key recommendations of Kovind panel](#)
2. [Indian Express- Concerns addressed in Kovind panel report](#)