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# 'One Nation, One Election': What's In It For the Modi Government?

Can momentum towards holding simultaneous elections to Lok Sabha, state assemblies be achieved in one fell swoop?

**CHAITANYA KALBAG**

**OPINION**

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*(This is the second part of a **two-part series** on simultaneous elections.)*

The momentum towards holding simultaneous elections to the Lok Sabha and state assemblies is growing, but can this be achieved in one fell swoop? If it is done in stages, it may take until 2024 at least to get to synchronisation. What effects will this have, and can we quantify the gains from “one nation, one election”?

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Critics say simultaneous elections will mean amending the Constitution. Elections can be called up to six months before the term of a legislature ends, but a legislature's term cannot be extended unless the Constitution is altered. At least five constitutional amendments will have to be enacted, altering clauses that deal with terms, the powers of the president and governors, and the manner in which trust votes are conducted in a legislature.

What happens if a no-confidence motion is brought against a government, or there is a

constitutional failure? At the state level, the President's power to impose direct central rule on a state under Article 356 has been circumscribed by the Supreme Court's 1994 *SR Bommai* judgment.

The [Law Commission's working paper](#) suggests that a no-confidence motion against a government in the Lok Sabha should be combined with a confidence motion in an "alternative government". In order to avoid a hung Parliament or an Assembly, or fresh elections, it suggests that, like the Speaker, the members could vote for a "leader of the House" who could then lead a new government. The problem with this device is that it does not have any safeguards against horse-trading throughout the legislature's term.

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## The Tricky Part: Changing the Constitution

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The working paper suggests a change in constitutional procedure that will involve amending the Tenth Schedule, inserted by the anti-defection 52nd Amendment in 1985, which prohibits an MP or an MLA from disobeying a party Whip on voting for a motion (presumably, in this case, a vote of confidence).

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**None of these constitutional restraints prevented the BJP from pulling off a coup in Arunachal Pradesh in 2016; during that year, the sensitive border state had four chief ministers.**

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The last of them, Pema Khandu, changed his party

three times between July and December – from the Congress to the People's Party of Arunachal Pradesh to the BJP. "The people of Arunachal Pradesh always wanted a government that was in line with prime minister Narendra Modi's," Khandu said.

Eminent lawyer and constitutional expert Fali S Nariman told me he is opposed to simultaneous elections. "They are trying to centralise everything," he said. "They are almost succeeding." Forcing simultaneous elections will hurt federalism, he said. The entire system of state governments elected independently is premised on the principle that India is a group of states, Nariman said. "But Modi's premise is that India is a group of provinces... this will destroy diversity."

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## Seeking Unity and Not Autocracy

Subhash C Kashyap, another constitutional expert, disagreed with Nariman. Simultaneous elections will help unify the country, he said. "Unfortunately, we have come to a stage where we celebrate

diversity and not unity. Diversity is an existential reality. The principle aim should be to extract unity out of diversity.”

Kashyap does not think constitutional amendments will be required to enable simultaneous elections. “It should be a long-term objective; it will take about ten years, in stages,” he said.

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**Notably, in his book *The State of the Nation*, Nariman writes that the framers of our Constitution were fearful of India’s Balkanisation, and focused on a strong and united nation.**

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The word ‘federal’ does not find a single mention in the bulky Constitution, Nariman writes.

Our Constitution starts with the words “India, that is Bharat, shall be a union of States”. Almost immediately afterwards, Nariman says, in Article 3 the Constitution grants Parliament the power to change a state’s boundaries, diminish its size, and even rename it.

In fact in 1960 the Supreme Court, in *Babulal Parate*, said a state's consent was not necessary for its boundaries to be diminished or altered. Hence our unique brand of 'asymmetric' federalism.

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**So far we have talked about governments, parties and courts. What about the humble voter?**

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If a voter is confronted by two electronic voting machines (EVMs) in a booth, one for a parliamentary constituency and another for a state assembly constituency, will he exercise his franchise unthinkingly, or be choosy about who his MP and MLA are regardless of party affiliation?

## **Better Performance, Economic Benefits**

A paper by Abhishek Bhardwaj, Prasanna Tantri and Nagaraju Thota titled *Non Committed Voters and Economic Growth* looks at split-ticket voters who voted for different parties at the federal and local level in simultaneous elections in Andhra Pradesh, Odisha and Sikkim in 2004 and 2009. They examine both the performance of winning

candidates as well as the economic development of their constituencies during their five-year terms. Their findings are fascinating.

The authors aggregated votes cast in the six or eight assembly constituencies that comprise a parliamentary constituency and compared the votes polled by a party in both contests. In Guntur 2004 for instance, the Congress winner secured 466,221 votes. However, Congress candidates in the assembly constituencies comprising the Guntur Lok Sabha constituency polled a total 345,387 votes. The difference of 120,834 votes is dubbed the 'measure of influence of non-committed voters' (MINCV).

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**To sum it up, the higher the MINCV (ie: the higher the gap) the harder the MP works – both in parliament as well as in trying to bring more social-welfare spending, and healthcare and infrastructure investment, to his/her constituency.**

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Gross domestic product (GDP) growth in such constituencies, which roughly map to administrative districts, is also one-and-a-half times



higher than the state's average.

This tells us two things: that non-committed (or swing) voters can be finicky about picking their parliamentary and local assembly representatives; and they can powerfully influence legislators' performance and behaviour in positive ways. A strong argument indeed for simultaneous elections, so long as it doesn't lead to an autocratic mess.

*(Chaitanya Kalbag is an award-winning journalist and has worked in several countries over more than 43 years. He was Editor, Asia with Reuters News Agency, Editor-in-Chief of Hindustan Times, and Editor at Business Today. He can be followed [@chaitanyakalbag](#) on Twitter. This is an opinion piece and the views expressed above are the author's own. **The Quint** neither endorses nor is responsible for them.)*

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