

ANALYSIS OF SIMULTANEOUS ELECTIONS : THE “WHAT”, “WHY” AND “HOW” *A Discussion Paper*

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1. INTRODUCTION

1.1 It won't be unreasonable to state that the Indian polity is perennially in an election mode. Barring a few exceptional years within a normal 5 year tenure of the Lok Sabha, the country witnesses, on an average, elections to about 5-7 State Assemblies every year.

1.2 The elections to constitute the 16th Lok Sabha were held by the Election Commission over the period March 2014 – May 2014³. Along with elections to the Lok Sabha, elections for constituting the State Assemblies of 4 states were held. Those comprised: Andhra Pradesh (undivided Andhra. Telangana got created as a new State later in June 2014 following the provisions of Andhra Pradesh Reorganization Bill 2014), Arunachal Pradesh, Sikkim and Odisha. This was followed by the following State Assembly elections⁴:

- a) September 2014 - October 2014: Maharashtra and Haryana;
- b) October 2014 - December 2014: Jharkhand and J&K;
- c) Jan 2015 – Feb 2015: NCT of Delhi;
- d) September 2015 – November 2015: Bihar;
- e) March 2016 – May 2016: Assam, Kerala, Puducherry, Tamil Nadu and West Bengal.

1.3 As can be seen above, besides Lok Sabha elections in 2014, polls to about 15 State Assemblies were held during March 2014 – May 2016. In 2014 alone, elections were held in March – May, September – October and October – December timeframes. In some cases, elections to State Assemblies were announced within a month of concluding elections to other State Assemblies. Add elections to the third tier of Government (Panchayati Raj institutions / Municipal bodies in rural and urban areas), bye-elections etc., and the number of elections in any given year would increase substantially. Such frequent electoral cycles ends up negatively impacting administrative and developmental activities in the poll bound states / regions and the larger governance process in general as well.

1.4 As a result, a serious need to evolve a mechanism to end this frequent election cycles has been expressed by various stakeholders since quite some time now. The idea of undertaking simultaneous elections is being seriously considered as a potential solution to the above problem. Several prominent political leaders have also consistently voiced their support for the above idea at various forums. Some expert committees have also examined this particular issue in the past. In the year 1999, the Law Commission of India headed by Hon'ble Justice B.P. Jeevan Reddy in its One Hundred Seventieth Report on Reform of

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³Starting date of notification of 1st phase poll till date of counting

⁴Source: Election Commission of India website

Electoral Laws recommended simultaneous elections to Lok Sabha and State Legislative Assemblies while examining measures for improving the electoral system in the country. The Department related Parliamentary Standing committee on Personnel, Public grievances, Law and justice in its 79th report (submitted to the Parliament in December 2015) had also examined the feasibility of holding simultaneous elections to Lok Sabha and State Legislative Assemblies. The Committee recommended an alternative and practicable method of holding simultaneous elections.

1.5 More recently, the Hon'ble President of India and the Hon'ble Prime Minister strongly pitched their support for holding simultaneous elections at public forums. The Hon'ble President noted *"With some election or the other throughout the year, normal activities of the government come to a stand-still because of code of conduct. This is an idea the political leadership should think of. If political parties collectively think, we can change it.... The Election Commission can also put in their idea and efforts on holding the polls together and that will be highly beneficial"*. Consequently, the Union Government sought views of the general public on MyGov web portal to examine this idea and to evolve solutions to its attendant issues.

1.6 With the above context, this note aims to holistically analyze the case for holding simultaneous elections in the country. The note leverages the literature already available (particularly the reports of expert committees and other relevant information available in the public domain) and further builds upon the ongoing arguments. Fundamental aspects such as "What", "Why" and "How" of simultaneous elections have been assessed across various sections below.

1.7 The note starts with the background of elections in India to set the context for defining the scope of the term "simultaneous elections" i.e "What do we mean by simultaneous elections". The note then discusses issues attendant to the above topic in detail with particular focus on elaborating "Why" and "How" of simultaneous elections. While arguing the case for holding simultaneous elections, likely criticisms of this measure and their counter arguments have also been analyzed to present a holistic view on this subject. The following structure is adopted for the above purpose:

- a) Background and context setting: What do we mean by simultaneous elections, historical perspective and relevant constitutional & statutory provisions;
- b) Why Simultaneous Elections: Articulating the imperatives for holding simultaneous elections in the country;
- c) Likely criticism of this idea and counter arguments: Arguments against simultaneous elections and their counter-assessments;
- d) How to implement simultaneous elections: Analyzing how to practically and operationally implement simultaneous elections and how to ensure that this idea is sustainable over the longer-term;
- e) Conclusion and Way forward.

1.8 It may be noted here that the primary intent of this note is to present an unbiased rational analysis of the need for simultaneous elections in the country. Drawing inspiration from the recent remarks of the Hon'ble President and the Hon'ble Prime Minister and building upon the literature already available about this issue, this note seeks to fuel a wider debate on this issue of national importance. As elections impact almost everyone in the entire country – citizens, businesses, administrative machinery, constitutional institutions, political parties, leaders and so on, any structural change to facilitate

simultaneous elections would necessarily involve significant debates, discussions and consensus-building exercise amongst the key stakeholders. In this context, this note can serve as a ready reference should the key stakeholders including the Government and various political parties wish to critically dig deeper into this matter.

2. BACKGROUND AND CONTEXT SETTING

2.1 The objective of this section is to present background and set the context for further analysis of this topic. For this purpose, the section covers the following items:

- a) Defining “Simultaneous Elections: Outlining the scope and meaning of “simultaneous elections”;
- b) Historical perspective of elections in India;
- c) Relevant Constitutional and Statutory Provisions: Presenting the relevant constitutional and statutory provisions that need to be understood and kept in mind while examining this topic further;
- d) Summary and key takeaways: Summarizing the key takeaways from this section

Defining “Simultaneous Elections”

2.2 As the focus of this note is on examining the need and feasibility of holding “Simultaneous Elections”, it is essential to outline the scope and meaning of this term at the very outset. In accordance with the fundamental basis of a democratic polity, the Constitution of India provides for determining composition of key constitutional institutions such as the offices of President, Vice President, both houses of Parliament (Lok Sabha and Rajya Sabha), Legislatures of various States etc. through free and fair elections for specified terms of each of these institutions - which normally is 5 years. Out of the above, composition of the Lok Sabha (House of the People) and State Legislative Assemblies is determined through direct voting by eligible voters through universal adult suffrage. Composition of other institutions⁵ (office of the President of India, Vice President of India, Rajya Sabha etc.) is determined through indirect voting by an electoral college as per applicable constitutional and statutory provisions.

2.3 The Constitution and other relevant statutes⁶ enacted thereof by the Parliament further lay down guidelines and stipulations related to key constituents of elections such as which institutions is/are responsible for directing and controlling elections, frequency of elections i.e terms of constitutional institutions (Lok Sabha, State Assemblies etc.), eligibility of electorates and so on.

2.4 What the above paragraphs essentially mean is that, subject to the fulfillment of eligibility conditions, any adult individual in India would normally cast his vote to elect

⁵ Just as an example, provisions to determine Electoral College for the elections to the office of President of India have been specified under Article 54, 55 of the constitution. Detailed rules and guidelines have been provided under relevant statutes such as Presidential and Vice Presidential Elections Act 1952, Presidential and Vice Presidential Elections Rules 1974 etc.

⁶ To facilitate the conduct of elections by the Election Commission of India, the Parliament has enacted the Representation of People Act, 1950 and Representation of People Act, 1951 and the Rules framed thereunder, viz., Registration of Electors Rules, 1960 and Conduct of Election Rules, 1961. Source: Para 2.4 – Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and Justice - 79th Report (Dec 2015) on the topic of simultaneous elections

members of Lok Sabha, State Assembly and the third tier every 5 years as and when the respective terms of these institutions are about to expire.

2.5 Article 324 of the Constitution mandates the Election Commission of India (ECI) to supervise, direct and control elections to the offices of President, Vice President, both houses of Parliament (Lok Sabha & Rajya Sabha), State Legislative Assemblies and State Legislative Councils. Similarly, 73rd and 74th amendments to the Constitution in 1992 facilitated creation of State Election Commissions (SECs) as authorities mandated to perform the above duties for constituting the third tier of Government in both rural and urban areas (Panchayati raj institutions, municipal bodies etc.). There are 31 SECs in the country⁷.

2.6 Now, coming back to the scope and definition of the term “Simultaneous Elections”, ideally simultaneous elections should imply that elections to all the three tiers of constitutional institutions take place in a synchronized and co-ordinated fashion. What this effectively means is that a voter casts his vote for electing members for all tiers of the Government **on a single day**.

2.7 Having said that, the third tier institutions is primarily a State subject as per the Constitution. Further, considering the facts that elections to the third tier institutions are directed and controlled by the State Election Commissions and their sheer numbers in the country is significantly large⁸, it would be impractical and possibly impossible to synchronize and align election schedules to the third tier with that of Lok Sabha and State Assembly elections.

2.8 Accordingly, for the purposes of this note, the term “Simultaneous Elections” is defined as structuring the Indian election cycle in a manner that elections to Lok Sabha and State Assemblies are synchronized together. In such a scenario, a voter would normally cast his/her vote for electing members of Lok Sabha and State Assembly **on a single day and at the same time**. To clarify further, simultaneous elections do not mean that voting across the country for Lok Sabha and State Assemblies needs to happen on a single day. This can be conducted in a phase-wise manner as per the existing practice provided voters in a particular constituency vote for both State Assembly and Lok Sabha the same day.

Historical perspective: We started with simultaneous elections⁹

2.9 It is interesting to note that the concept of simultaneous elections is in-fact not new to the country. Post adoption of the Constitution, the elections to Lok Sabha and all State Legislative Assemblies were held simultaneously between 1951 till 1967 when the cycle of synchronized elections got disrupted.

2.10 The first general elections to Lok Sabha and all State Legislative Assemblies were held together in 1951-52. That practice continued over three subsequent general elections held in the years- 1957, 1962 and 1967. However, due to the premature dissolution of some Legislative Assemblies in 1968 and 1969, the cycle got disrupted for the first time. In

⁷ Source: “Electoral Statistics Pocket Book 2016” published by the Election Commission of India

⁸ For example, the total numbers of Gram Panchayats, Block Panchayats and District Panchayats in the country is estimated to be about 2.51 lakhs. Source: “Ministry of Panchayati Raj at a Glance – 1st January 2015”

⁹ Source: Para 4 – Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015) on the topic of simultaneous elections

1970, Fourth Lok Sabha was itself dissolved prematurely and fresh elections held in 1971. Thus, First, Second and Third Lok Sabha enjoyed full five year terms.

2.11 The term of Fifth Lok Sabha was extended till 1977 under Article 352. After that, the Eighth, Tenth, Fourteenth and Fifteenth Lok Sabha could complete their full five year terms. Sixth, Seventh, Ninth, Eleventh, Twelfth and Thirteenth Lok Sabha was dissolved prematurely. Various State Assemblies also faced similar issues over a period of time. As a result of all such premature dissolutions and extension, the cycle of simultaneous elections has been firmly disrupted. The table below presents the timelines of key milestones of various Lok Sabhas till date.

Table: Timelines of key milestones of various Lok Sabhas till date

Lok Sabha	Last date of poll	Date of constitution of Lok Sabha	Date of first sitting	Date of expiration of term (Article 83(2) of Constitution)	Date of dissolution of Lok Sabha	Overall Term (in days) (Col 6 - Col 4)	Overall Term (approx)
1	2	3	4	5	6	7	8
First	21-Feb-52	2-Apr-52	13-May-52	12-May-57	4-Apr-57	1787	5 years
Second	15-Mar-57	5-Apr-57	10-May-57	9-May-62	31-Mar-62	1786	5 years
Third	25-Feb-62	2-Apr-62	16-Apr-62	15-Apr-67	3-Mar-67	1782	5 years
Fourth	21-Feb-67	4-Mar-67	16-Mar-67	15-Mar-72	27-Dec-70	1382*	3 years & 10 months
Fifth	10-Mar-71	15-Mar-71	19-Mar-71	18-Mar-77	18-Jan-77	2132**	5 years & 10 months
Sixth	20-Mar-77	23-Mar-77	25-Mar-77	24-Mar-82	22-Aug-79	880*	2 years & 5 months
Seventh	6-Jan-80	10-Jan-80	21-Jan-80	20-Jan-85	31-Dec-84	1806	5 years
Eighth	28-Dec-84	31-Dec-84	15-Jan-85	14-Jan-90	27-Nov-89	1777	5 years
Ninth	26-Nov-89	2-Dec-89	18-Dec-89	17-Dec-94	13-Mar-91	450*	1 year & 3 months
Tenth	15-Jun-91	20-Jun-91	9-Jul-91	8-Jul-96	10-May-96	1767	5 years
Eleventh	7-May-96	15-May-96	22-May-96	21-May-01	4-Dec-97	561*	1 year & 6 months
Twelfth	7-Mar-98	10-Mar-98	23-Mar-98	22-Mar-03	26-Apr-99	399*	1 year & 1 month
Thirteenth	4-Oct-99	10-Oct-99	20-Oct-99	19-Oct-04	6-Feb-04	1570*	4 years & 4 months
Fourteenth	10-May-04	17-May-04	2-Jun-04	1-Jun-09	18-May-09	1811	5 years
Fifteenth	13-May-09	18-May-09	1-Jun-09	31-May-14	18-May-14	1812	5 years
Sixteenth	12-May-14	18-May-14	4-Jun-14	3-Jun-19	NA	NA	NA

*Mid term polls were held. Dissolution took place before the elections. **Extension due to proclamation of Emergency.

Source: Table – I, Page 2, Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015)

Relevant Constitutional and Statutory provisions¹⁰

2.12 Election timings for a legislature (Lok Sabha / State Assemblies) is determined by its term which in-turn is governed by relevant constitutional and statutory provisions that drive various aspects of constitution, dissolution and expiration of such legislatures.

¹⁰ Source: General source of this section is the Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015) on the topic of simultaneous elections

Accordingly, the paragraphs list the constitutional provisions relevant to the issue of simultaneous elections.

a) Term of House of People and State Legislative Assemblies:

2.13 **Article 83** of the Constitution of India provides for the tenure of both Houses of the Parliament (Lok Sabha and Rajya Sabha). **Article 83(2)**¹¹ provides for a term of five years for Lok Sabha, from the date of its first sitting unless dissolved earlier. Similar provisions under **Article 172 (1)** provides for five year tenure for State Legislative Assembly from the date of its first sitting. Further, the proviso to **Article 83 (2)** of the Constitution provides that when a proclamation of emergency is in operation, the term of the House may be extended for a period not exceeding one year at a time by Parliament by law and not extending in any case beyond a period of six months after the Proclamation has ceased to operate. Similar provision also exists for State Legislative Assembly under the proviso to **Article 172 (1)** of the Constitution.

2.14 The above provisions effectively mean that the tenure of the House cannot be extended beyond 5 years except in emergency but it can be prematurely dissolved before expiration of its tenure.

b) Pre-mature dissolution of Lok Sabha or State Assemblies¹²:

2.15 **Article 85 (2)(b)** of the Constitution of India provides the President with the power to dissolve Lok Sabha. Similar provision for dissolution of State Legislative Assemblies by the Governor of State is provided under **Article 174 (2)(b)**. Further, in respect of premature dissolution of a State Legislative Assembly, **Article 356** is also relevant. In the event of a State being under President's Rule as provided under **Article 356**, the Legislative Assembly of the said State may be prematurely dissolved by the President. While there have been several cases of proclamation of President's Rule in States under **Article 356** in the past, pre-mature dissolution of State Assemblies has been made significantly stringent in the light of Anti-Defection Act 1985 and the judgement by the Constitutional Bench of Supreme Court of India in *S.R. Bommai v. Union of India*¹³.

2.16 In this judgement, the apex court laid down certain guidelines circumscribing the conditions for proclamation of President's Rule by the Union Government. The guidelines state: a) the dissolution of State Legislative Assembly by the President of India is subject to approval of both houses of Parliament; and b) the validity of proclamation of President's Rule is subject to judicial review. In effect, the President can put Legislative Assembly in suspended animation but *cannot* dissolve it without concurrence of both Houses of Parliament. The Judiciary can examine validity of such proclamation and restore the dismissed State Government and revive dissolved Legislative Assembly if **Article 356** is found to be mala fide in its use.

2.17 As per **Article 75(3)**, "The Council of Ministers shall be collectively responsible to the House of the People". **Article 164(2)** provides a similar responsibility of the Council of

¹¹ Article 83(2) states that "The House of the People, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the House..."

¹² Source of this paragraph: Para 16.1 – Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015) on the topic of simultaneous elections

¹³ AIR 1994 SC 1918

Ministers to the State Legislative Assembly. The Executive therefore derives its legitimacy from the legislature and remains in power as long as it enjoys the confidence of the latter. A no-confidence motion can be passed if either Lok Sabha or the State Legislative Assembly loses confidence in the Council of Ministers. It can fall any time with the passage of non-confidence motion in that House.

2.18 What the above provisions imply is that fall of an elected government, even though contemplated in the Constitution, cannot be predicted.

c) Responsibility for conduct of elections to Lok Sabha and State Legislative Assemblies

2.19 As stated earlier, Article 324 mandates the Election Commission of India (ECI) to supervise, direct and control elections to Lok Sabha & State Legislative Councils.

2.20 Besides the above, to facilitate the conduct of elections by the Election Commission of India, the Parliament has enacted the Representation of People Act, 1950 and Representation of People Act, 1951 and the Rules framed thereunder, viz., Registration of Electors Rules, 1960 and Conduct of Election Rules, 1961.

d) The Representation of People Act, 1951¹⁴

2.21 The Representation of People Act 1951 covers various modalities of conducting elections in the country. It provides the statutory basis for ECI to conduct elections in the country. It prescribes the qualifications for being elected as a Member of Parliament or Member of State Legislatures, general procedure to conduct elections, method of counting of votes, publication of results, resolution of disputes arising of elections, etc. Section 14 of the Act provides for the notification for General Elections to the Lok Sabha. The proviso to the Section 14(2) states: *"..Provided that where a general election is held otherwise than on the dissolution of the existing House of the People, no such notification shall be issued at any time earlier than six months prior to the date on which the duration of the House would expire under the provisions of clause (2) of Article 83."*

2.22 Section 15 (2) of the Act provides a similar provision for State legislatures. This means that the ECI is empowered to notify elections to both Lok Sabha and State Legislative Assemblies *six months* prior to the end of normal terms of these Houses. This would not alter their term in any way.

Summary and Key Takeaways

2.23 Having set the and background context including outlining the scope and meaning of the term “simultaneous elections”, historical perspective, relevant constitutional and statutory provisions for this issue, the key takeaways from this section are summarized below:

- a) For the purposes of this note, the term “Simultaneous Elections” would broadly mean structuring the Indian election cycle in a manner that elections to Lok Sabha and State Assemblies are synchronized together. In such a scenario, a voter would normally cast his/her vote for electing members of Lok Sabha and State Assembly on a single day and at the same time.

¹⁴ Source: Page No. 10 - Report of the Parliamentary Standing committee on Personnel, Public Grievances, Law and Justice - 79th report (Dec 2015) on the topic of simultaneous elections

- b) The concept of simultaneous elections is in-fact not new to the country. Post adoption of the Constitution, elections to Lok Sabha and all State Legislative Assemblies were held simultaneously over the period 1951 till 1967 when the cycle of synchronized elections got disrupted.
- c) **Article 83(2) of the Constitution** provides for a normal term of five years for the House of People (Lok Sabha). **Article 172 (1)** provides for similar tenure for State Legislative Assembly from the date of its first sitting.
- d) Both Lok Sabha and State Assemblies do not have a fixed term and can be dissolved earlier than their normal terms. Various provisions in the Constitution and relevant directions laid down by the Supreme Court of India drive the stipulations (grounds leading to such dissolution, who has the power to effect such dissolution etc.) that may cause early dissolution of legislatures.
- e) Tenure of the House cannot be extended beyond 5 years except in emergency situation.
- f) Election Commission of India is empowered to notify elections to both Lok Sabha and State Legislative Assemblies *six months* prior to the end of the normal terms of the Houses.

3. WHY SIMULTANEOUS ELECTIONS

3.1 As mentioned earlier, the concept of simultaneous elections is not new to the country and in-fact the country started its first election cycle to Lok Sabha and State Assemblies simultaneously post-independence in 1951-52. This synchronized cycle continued till the end of third Lok Sabha when it finally got disrupted during the fourth Lok Sabha and has continued so ever since. In the current situation, the country witnesses elections to about 5-7 State Assemblies every year (except few exceptional years). Such a situation ends up adversely impacting all the key stakeholders – the Government (both Union and the State Governments), government employees/officials on election duty, general electors/voters, as well as political parties and candidates. Having set the context by defining simultaneous elections and discussing the historical perspective and relevant constitutional and statutory provisions that drive the conduct of elections in the country, this section focuses on justifying why it is imperative to consider holding simultaneous elections in the country.

3.2 The key adverse impacts that the existing electoral cycle leads to could be broadly categorized into the following:

- A. **Impact on development programs and governance due to imposition of Model Code of Conduct by the Election Commission;**
- B. **Frequent elections lead to massive expenditures by Government and other stakeholders;**
- C. **Engagement of security forces for significantly prolonged periods and**
- D. **Other Issues.**

3.3 The paragraphs below present in detail each of the issues mentioned above.

A. Impact on Governance due to imposition of Model Code of Conduct

3.4 The Model Code of Conduct (MCC)¹⁵ is a set of norms that lays down several do's and do not's that political parties, contesting candidates, party(ies) in power have to strictly abide by during the process of elections. The MCC has been evolved with the consensus of political parties who have agreed to abide by its principles and to respect and observe it in its letter and spirit. It. The Model Code is enforced from the date of announcement of election schedule by the Election Commission and is operational till the process of elections is completed. During general elections to Lok Sabha, the code is applicable throughout the country. During general elections to the Legislative Assembly, the code is applicable in the entire State. Effectively, except the routine administrative activities, other development programs, welfare schemes, capital projects etc. **remain largely suspended** till the time the model code is applicable and in the area it is in operation.

3.5 Problems due to imposition of the above code have been articulated by the Parliamentary Standing committee in its 79th report. The Committee states "...The imposition of Model Code of Conduct (MCC) puts on hold the entire development programme and activities of the Union and State Governments in the poll bound State. It even affects the normal governance. Frequent elections lead to imposition of MCC over prolonged periods of time. This often leads to policy paralysis and governance deficit".

3.6 To understand the extent of impact of this point, an analysis of the period over which Model Code of Conduct remained operational since the announcement of the 16th Lok Sabha elections in March 2014 has been done. The analysis indicates that in the year 2014, governance and developmental activities due to imposition of Model Code remained largely suspended for about 7 months: 3 months across the country and about 2 months in Jharkhand & J&K and another 2 months in Maharashtra and Haryana.

3.7 Similarly, in the year 2015, model code was imposed for about 3 months – 2 months when the elections to the State Assembly of Bihar were being conducted and another month and slightly more during elections to the Assembly of NCT Delhi. The table below summarizes the above findings:

Table: Impact of Model Code in governance (time period and area where applicable)

Elections to State Assembly / Lok Sabha	Approx. timelines of Model Code*	Approx. Total period** of Model Code operation (in months)	Applicable to (States / Country)
Applicability in 2016		2 months	
State Assemblies	March - May 2016	2 months	Assam, Kerala, Puducherry, Tamil Nadu and West Bengal
Applicability in 2015		More than 3 months	
State Assembly	Sept - Nov 2015	2 months	Bihar
State Assembly	Jan - Feb 2015	More than 1 month	Delhi
Applicability in 2014		7 months	
State Assemblies	Oct - Dec 2014	2 months	Jharkhand & J&K
State Assemblies	Sept - Oct 2014	2 months	Maharashtra & Haryana
Lok Sabha - 16 th & State Assemblies	March - May 2014	3 months	Entire Country

Source: *Dates from the website of Election Commission of India, **Total Period- NITI Analysis

¹⁵ Source of this paragraph: FAQs on Model Conduct of Conduct issued by ECI, <http://documents.gov.in/central/11949.pdf>

3.8 Analysis of upcoming polls to various State Assemblies indicates a similar state of affairs in the future going forward. The table below indicates likely dates when terms of existing State Assemblies are expected to expire. Using the data in this table, an attempt has been made to estimate the likely schedule of State Assembly elections every year till 2021 i.e the year by when the terms of all existing State Assemblies would have expired at least once.

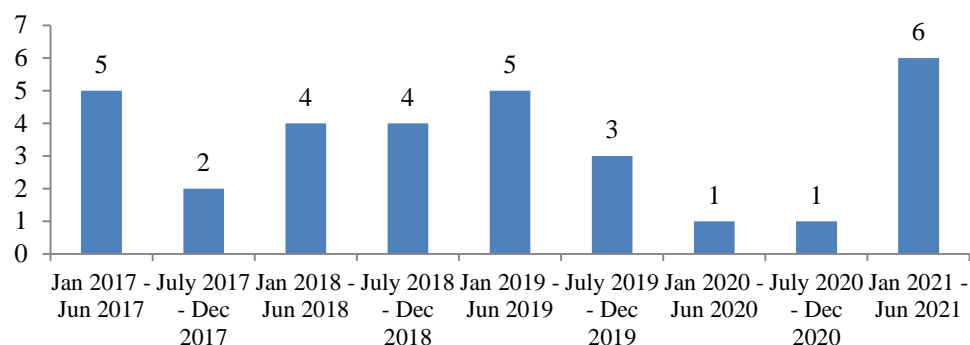
Table: Terms of Existing State Assemblies

Sl. No.	State Assembly / Lok Sabha	From	To
1	Andhra Pradesh	19-Jun-14	18-Jun-19
2	Arunachal Pradesh	2-Jun-14	1-Jun-19
3	Assam	May/June 2016	May/June 2021
4	Bihar	30-Nov-15	29-Nov-20
5	Chhattisgarh	6-Jan-14	5-Jan-19
6	Goa	19-Mar-12	18-Mar-17
7	Gujarat	23-Jan-13	22-Jan-18
8	Haryana	3-Nov-14	2-Nov-19
9	Himachal Pradesh	8-Jan-13	7-Jan-18
10	Jammu & Kashmir	17-Mar-15	16-Mar-21
11	Jharkhand	6-Jan-15	5-Jan-20
12	Karnataka	29-May-13	28-May-18
13	Kerala	May/June 2016	May/June 2021
14	Madhya Pradesh	8-Jan-14	7-Jan-19
15	Maharashtra	10-Nov-14	9-Nov-19
16	Manipur	19-Mar-12	18-Mar-17
17	Meghalaya	7-Mar-13	6-Mar-18
18	Mizoram	16-Dec-13	15-Dec-18
19	Nagaland	14-Mar-13	13-Mar-18
20	Odisha	12-Jun-14	11-Jun-19
21	Punjab	19-Mar-12	18-Mar-17
22	Rajasthan	21-Jan-14	20-Jan-19
23	Sikkim	28-May-14	27-May-19
24	Tamil Nadu	May/June 2016	May/June 2021
25	Telangana	9-Jun-14	8-Jun-19
26	Tripura	15-Mar-13	14-Mar-18
27	Uttarakhand	27-Mar-12	26-Mar-17
28	Uttar Pradesh	28-May-12	27-May-17
29	West Bengal	May/June 2016	May/June 2021
30	NCT of Delhi	24-Feb-15	23-Feb-20
31	Puducherry	May/June 2016	May/June 2021

Source: Website of Election Commission, http://eci.nic.in/eci_main1/terms_of_houses.aspx

3.9 Findings show that the country may possibly witness elections to anywhere between 2 to 5 State Assemblies every 6 months till 2021 (the only exception being the period January 2020 – Dec 2020) as presented below.

Figure: Likely numbers of future State Assembly elections (per 6-month period)



Source: NITI Analysis

3.10 Assuming the average period of operation of Model Code of Conduct as 2 months during election to a State Assembly, the above analysis implies that it would be reasonable to expect applicability of Model Code of Conduct for about 4 months or more every year (except possibly year 2020 as above) till 2021. This means, going forward, development projects and programs (that of State Governments going to polls and of Union Government in those states) may potentially get hit every year and that too for about one-third of the entire time available for implementing such projects and programs. Such a situation is completely undesirable and needs serious deliberations and appropriate corrective measures.

3.11 It may be noted that the above findings are subject to the following assumptions: a) Various State Assemblies complete their normal term and that they are not dissolved prematurely; b) The Election Commission may possibly plan election schedule in a manner that the process is complete reasonably before the date of expiry of the term (say few weeks before the term expiry); c) These are not predictions of actual future polling schedules, but rough approximations to substantiate the point made above. ECI normally takes into account a gamut of relevant factors – logistics, availability of election officers and security, views of political parties, views of Government, weather considerations, min disruptions to public considerations – school exams, festivals etc. while announcing a suitable poll schedule.

B. Frequent elections lead to massive expenditures by Government & other stakeholders

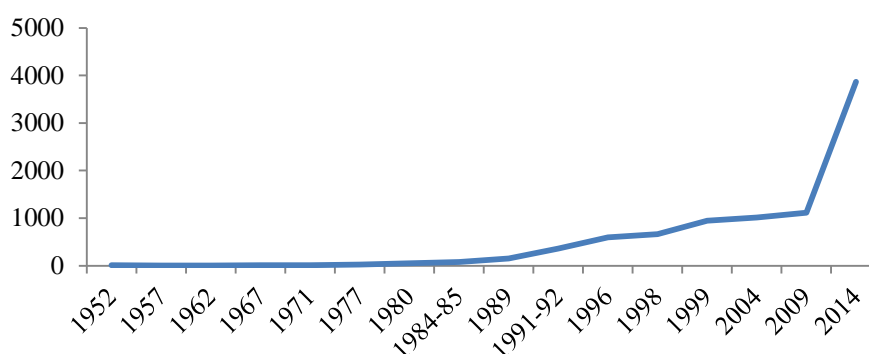
3.12 Elections lead to huge expenditures by various stakeholders. Every year, the Government of India and/or respective State Governments bear expenditures on account of conduct, control and supervision of elections. Besides the Government, candidates contesting elections and political parties also incur huge expenditures. The candidates normally incur expenditures on account of various necessary aspects such as travel to constituencies, general publicity, organizing outreach events for electorates etc. while the political parties incur expenditures to run the party's electoral machinery during elections, campaigning by star leaders and so on.

3.13 With regards to the expenditure incurred by the Government, the following framework applies for working out cost-sharing principles between the Union Government and States:

- a) The entire expenditure on actual conduct of elections to Lok Sabha is borne by Government of India and such expenditure on conduct of election to State Legislatures by the respective State Governments when such elections are held independently¹⁶.
- b) If concurrent election to Lok Sabha and State Legislative Assembly is held, then the expenditure is shared between Government of India and respective State Governments. The initial expenditure is borne by the respective State Governments and on submission of the audited report, Government of India share is reimbursed¹⁷.
- c) Expenditure incurred on items of common concern to the Union and the State Governments like expenditure on regular election establishment, preparation and revision of electoral roll etc. is shared on 50:50 basis irrespective of whether such expenditure is incurred in connection with the elections to the Lok Sabha or State Legislatures. Even if election is to Lok Sabha, expenditure towards law & order maintenance is borne by respective State Governments only¹⁸.

3.14 The figure below presents historical trends of expenditures incurred by the Government of India for Lok Sabha elections.

Figure: Election expenditure (Provisional) by Government of India towards Lok Sabha Elections (Figures along Y-axis are in INR Crores)



Source: Figure 8.1, ECI Pocket book 2015-16

3.15 As can be seen from the table above, the cost to the Government of India for conducting Lok Sabha elections has seen a significant jump in the recent years. Compared to the cost incurred for conducting 2009 Lok Sabha elections at about **Rs. 1115 crores**, the same for the year 2014 more than tripled to about **Rs. 3870 crores**.

3.16 It may be noted that the data in the graph above include Union Government's expenditure towards the following heads - electoral offices, preparation and printing of electoral rolls, charges for conduct of elections and issue of photo – identity cards. They do not capture the expenditures incurred by State Governments towards conduct of Lok Sabha

¹⁶ Source: Section 8 – ECI Pocket Book 2015-16

¹⁷ Source: Item 5.5, Annual Report 2014-15: Min of Law and Justice, Govt. of India

¹⁸ Source: Section 8 – ECI Pocket Book 2015-16

elections. The data for 2004 also includes expenditure incurred on State/UT Legislative Assemblies elections which were held simultaneously with 2004 Lok Sabha elections.

3.17 With regards to the expenditure incurred by candidates and political parties, the ECI vide Rule 90 of the Conduct of Election Rules 1961 prescribes maximum limits¹⁹ for election expenditures by a candidate. For example, currently the limit is Rs. 70 lakhs per candidate for a parliamentary constituency (i.e for elections to Lok Sabha) in larger states like UP, Bihar, Madhya Pradesh etc. This limit is Rs. 28 lakhs for an assembly constituency in the same States. On the other hand, there are no such prescribed expenditure limits for political parties.

3.18 Candidates and political parties in their bid to win elections end up spending significantly more than the prescribed expenditure limits. The urge to spend more than prescribed limits to win elections, is consequently blamed as one of the key drivers for corruption and black-money in the country. In one of the recent conferences organized by Association for Democratic Reforms (ADR)²⁰, Dr. S. Y. Quraishi, former Chief Election Commissioner, remarked “....elections have become the root cause of corruption in the country”. He further mentioned that “....after winning elections, the politician-bureaucrat nexus indulges in “recovering the investment” and that is where corruption begins”. In one of the interviews to a news channel recently, the Hon’ble Prime Minister²¹ also remarked “Electoral reforms are necessary if the country has to be rid of black money. It is one of the areas for electoral reforms. I believe the Prime Minister cannot take a decision on this, nor should he do that. There should be a broad discussion”

3.19 A recent report titled “Analysis of Funds Collected and Expenditure incurred by Political Parties during elections between 2004-2005” published by Association of Democratic Reforms (ADR) mentions that collectively, for the Lok Sabha elections held in 2004, 2009 and 2014, political parties disclosed total collection of Rs. 2355.35 crores. Their total expenditure on these elections was Rs. 2466.07 crores with as much as Rs. 1587.78 crores reportedly spent for Lok Sabha 2014 elections alone. Unofficial estimates by some news agencies²² indicate that the total expenditure by candidates and political parties for Lok Sabha 2014 elections could possibly be more than Rs. 30,000 crores. However, it is quite difficult to corroborate the reliability of such unofficial reports. For State Assembly elections over the period 2004 – 2015, the ADR report further mentions that political parties disclosed a collection of Rs. 3368.06 crores while the total expenditure as reported for that period was Rs. 2727.79 crores.

3.20 As elections happen frequently in some State Assembly or the other, political parties particularly worry about need to keep inflow of funds and contributions continued. This whole cycle is consequently blamed as one of the key drivers for corruption and black-money in the country. Hence, from the perspective of candidates and political parties, simultaneous elections could open up possibilities to address the above systemic problems that impact the overall fabric of Indian economy and polity adversely.

¹⁹ Source: http://eci.nic.in/eci_main1/Contesting.aspx

²⁰ Source: <http://adrindia.org/content/discussion-%E2%80%9Csimultaneous-elections-%E2%80%93-possibilities-and-challenges%E2%80%9D-26th-oct-wednesday>

²¹ Source: http://www.business-standard.com/article/news-ians/electoral-reforms-necessary-to-curb-black-money-modi-116062701266_1.html

²² Source: http://articles.economicstimes.indiatimes.com/2014-03-16/news/48265556_1_crore-rs-17-rs-7 and <http://www.ibtimes.com/indias-2014-election-cost-5-billion-second-only-price-tag-2012-us-presidential-election-1570668>

3.21 Coming back to the expenditures incurred by the Government of India, the previous graph indicated that the cost of conducting 2014 Lok Sabha elections *alone* was about INR 3870 crores. Newspaper reports indicate that the Government incurred a cost of about INR 300 crores in conducting elections to the Bihar Assembly *alone* in 2015. Gujarat Assembly polls in 2017 are likely to cost another INR 240²³ crores. Clearly, frequent elections takes away opportunities to optimize such costs and lead to significant yearly outflow of public money every year.

3.22 In contrast to the above set of data, the cost of holding elections for Lok Sabha and State Assemblies has been pegged at Rs. 4500²⁴ crore by the ECI in case elections are held simultaneously. These figures indicate that simultaneous elections would help the exchequer curtail election expenditures in a significant manner. Hence, from the perspective of the Government, simultaneous elections would clearly help save precious tax payers money. This is critical as efficiency in election expenditures would contribute to enhanced fiscal space – both for State and the Union Government that could be deployed for other national development priorities without comprising the democratic structure of the country.

C. Engagement of security forces for significantly prolonged periods

3.23 Conducting elections is a mammoth, complex and time consuming activity. The Election Commission of India takes help of a significant number of polling officials as well as armed forces to ensure smooth, peaceful and impartial polls.

3.24 While conducting elections to the 16th Lok Sabha, the ECI took the help of approximately 10 million personnel as polling officials for running and supervising the election process across 9,30,000 Polling Stations of the country²⁵. This translates to an average of about 10.75 personnel per polling station.

3.25 For providing the required security arrangements, the Election Commission generally involves Central Armed Police Forces (CAPF). As the demand for CAPF is typically higher than the supply, police forces such as State Armed Police, Home Guards, District Police etc. are often deployed as well to complement security arrangements. The role of such security forces starts much before polling and ends only after the counting of votes and declaration of results effectively covering the entire duration of the elections. In the elections to the 16th Lok Sabha, the Election Commission deployed 1349²⁶ Companies of CAPFs.

3.26 While the deployment of polling officials is still for a smaller duration (typically few days before and after the day of voting and few days before and after the day of counting), the deployment of security forces (particularly the CAPF) is normally throughout the elections and they remain mobile from one place to another. Considering that about 2-5 State Assemblies go to polls every 6 month period as stated previously, this situation leads to a lock-in of CAPF and state police forces for prolonged periods of time.

²³ Source: <http://indianexpress.com/article/india/india-news-india/gujarat-assembly-polls-in-2017-to-cost-about-rs-240-cr-says-election-commission/>

²⁴ Source: Paragraph 6.2: Report of the Parliamentary Standing committee on Personnel, Public Grievances, Law and Justice - 79th report (Dec 2015) on the topic of simultaneous elections

²⁵ Source: Paras 12, 13 and 14 of the Strategic Plan Book of ECI

²⁶ Source: Page no. 28 to 30, “India Votes – The General Elections 2014” published by the Election Commission of India

Such a situation is clearly unwarranted as it takes away a portion of such armed police force which could otherwise be better deployed for other internal security purposes – the basic responsibilities for which these forces were developed for.

D. Other Issues

3.27 Besides the key issues with frequent election cycle elaborated above, there are few other issues worth considering that have been highlighted by expert committees and key stakeholders. These are summarized below:

- a) **Frequent elections disrupt normal public life:** The Parliamentary Standing committee on Personnel, Public grievances, Law and justice noted that “...*frequent elections lead to disruption of normal public life and impact the functioning of essential services. Holding of political rallies disrupts road traffic and also leads to noise pollution*”. Continuing further, the Committee suggested that “*If simultaneous elections are held, this period of disruption would be limited to a certain pre-determined period of time*”.
- b) **Frequent elections perpetuate caste, religion and communal issues across the country:** In a recent article published in Bloomberg Quint, Dr. S. Y. Quarishi²⁷ (former Chief Election Commissioner) noted that “...*elections are polarising events which have accentuated casteism, communalism, corruption and crony capitalism. If the country is perpetually on election mode, there is no respite from these evils. Holding simultaneous elections would certainly help in this context*”.
- c) **Frequent elections adversely impact the focus of governance and policy making:** In a recent article²⁸, the Hon’ble Minister of Urban Development Shri M. Venkaiah Naidu noted that “...*the cycle of continuous elections was not only affecting the developmental process and good governance, but also forcing the political class to typically think in terms of immediate electoral gains rather than focus on long-term programmes and policies for the overall progress of the nation and its people*”. The Hon’ble Minister in his article points out that frequent elections adversely impact the focus of Governments and political parties. Need to win the next impending election makes short-term political imperatives an immediate priority. As a result, sound long-term economic planning often takes a back seat. There have been various instances in the past when Governments have preferred to put off/ postpone implementation of difficult structural reforms due to elections – the direct cost of which is borne by the needy electorate.

Summary and Conclusions

3.28 The above paragraphs clearly outline various key issues with the existing electoral cycle. In the last 30 years, there has not been a single year without an election to either a State Assembly or to Lok Sabha or both. Analysis in the above paragraphs indicates that the same situation is likely to prevail going forward as well. While this situation leads to several avoidable issues – massive recurring expenditures by the Government &

²⁷ Source: <https://www.thequint.com/opinion/2016/06/13/holding-ls-assembly-polls-together-is-desirable-but-not-feasible>

²⁸ Source: Views of Hon’ble Min of Urban Development – M Venkaiah Naidu, accessed via <http://www.thehindu.com/opinion/op-ed/breaking-out-of-election-mode-writes-venkaiah-naidu/article9176494.ece>

stakeholders, prolonged deployment of security forces and official manpower and so on, the biggest adverse impact is on governance, policy making and developmental activities.

3.29 Within the larger sphere of governance, the adverse impact is both tangible and intangible. Tangibly, frequent imposition of Model Code of Conduct leads to suspension of developmental projects and other government activities as argued earlier. The larger intangible impact of frequent elections is that Governments and political parties remain in perpetual “campaigning” mode. Electoral compulsions change the focus of policy making. Short-sighted populist and “politically safe” measures are accorded higher priority over “difficult” structural reforms which may more beneficial to the public from a longer term perspective. This leads to sub-optimal governance and adversely impacts the design and delivery of public policies and developmental measures.

3.30 Considering Indian demographics and the ever increasing expectations of the young population, it is imperative to remove impediments to governance and to remove it expeditiously. In a recent public forum, the Hon’ble Prime Minister remarked²⁹ *“If India is to meet the challenge of change, mere incremental progress is not enough. A metamorphosis is needed....My vision for India is **rapid transformation, not gradual evolution**”*. Unlike gradual, incremental measures, transformative measures typically involve short-term pains and hence are seen as politically risky and unpopular to implement. Frequent elections, therefore, crowd Government’s risk taking capabilities and incentivize it to opt safer status-quo’ist approach instead. Getting out of this “permanent election mode” is therefore a **huge structural** change in mindset that could potentially provide the much needed **space** to Governments to focus on long-term transformational measures without worrying about the next impending election.

3.31 The Honb’le Prime Minister has been voicing his strong desire to end frequent election cycle time and again. Various prominent leaders across party lines have also supported his view including most recently the Honb’le Chief Minister of Karnataka. Experts on this matter and prominent think tanks also agree that the country needs to get out of this situation. The Law Commission of India headed by Hon’ble Justice B. P. Jeevan Reddy in its 170th report on Reform of Electoral Laws³⁰ (1999) stated *“...This cycle of elections every year, and in the out of season, should be put an end to. We must go back to the situation where the elections to Lok Sabha and all the Legislative Assemblies are held at once. It is true that we cannot conceive or provide for all the situations and eventualities that may arise whether on account of the use of Article 356 (which of course has come down substantially after the decision of Supreme Court in S.R. Bommai vs. Union of India) or for other reasons, yet the holding of a separate election to a Legislative Assembly should be an exception and not the rule. The rule ought to be one election once in five years for Lok Sabha and all the Legislative Assemblies”*.

3.32 Together, these aspects demonstrate why it is imperative to evolve a solution that stops this cycle of elections every year and accordingly justify the urgent need to hold simultaneous elections in the country.

²⁹ Source: <http://www.narendramodi.in/pm-s-speech-on-the-occasion-of-transforming-india-lecture-513478>

³⁰ Source: Paragraph 6.0 - Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015)

4. LIKELY CRITICISMS AND COUNTER-ARGUMENTS

4.1 As has been mentioned previously in this note, the debate for holding simultaneous elections in the country has been going on since quite some time now. While this idea has largely been supported by a large section of stakeholders and experts –leaders across party lines, Election Commission, Law Commission of India (1999), Department related Parliamentary Standing Committee (2015) etc., it has not gone entirely uncontested.

4.2 Key political parties such as Indian National Congress (INC), All India Trinamool Congress (AITC), Communist Party of India (CPI), All India Majlis-e-Ittehadul Muslimeen (AIMIM), Nationalist Congress Party (NCP) etc. in their submissions to the Parliamentary Standing Committee have expressed their reservations. These parties have questioned its do-ability given the existing constitutional and statutory provisions with regards to tenure of various Assemblies and Parliament³¹.

4.3 On the other hand, some other critics and think-tanks have criticized this idea as being politically motivated. These critics have argued that holding simultaneous elections may influence voter behavior in a manner that voters would end up voting on national issues even for state elections. Effectively, this would lead to larger national parties winning both State and Lok Sabha elections thereby marginalizing regional parties which often represent the interests of local social and economic groups. This may undermine the depth and breadth of Indian democracy. With this context, the objective of this section is to examine the merit of criticisms to this idea and present counter-arguments against the same.

4.4 The key criticisms cited against holding simultaneous elections could be broadly categorized as below:

- a) **Operational feasibility / Do-ability:** This point covers larger challenges which would need to be adequately addressed within the constitutional and statutory boundaries. This includes attendant aspects such as - How would terms of Assemblies/Lok Sabha be synchronized for the first time? Would it be feasible to extend or curtail the existing terms of some State Assemblies to facilitate the above? If elections are held simultaneously, what would happen in case the ruling party or coalition loses majority in between term, either in Lok Sabha or in State assemblies? Should the term of Lok Sabha and assemblies be fixed? Operational challenges - Is it practically feasible for the ECI to conduct elections at such a massive scale – considering logistics, security and manpower resource requirements?
- b) **Impact to voter behavior:** The primary hypothesis of this criticism is that Indian voters are not mature / informed enough to differentiate between the voting choices for State Assembly and Lok Sabha in case simultaneous elections are held. This situation could lead to – a) National issues impacting electorate's behavior for voting in State Assembly elections; or b) State issues impacting electorate's behavior for voting in Lok Sabha elections. As a result, voter behavior gets influenced and he/she may vote for the same political party, which in most cases may be larger national parties.

³¹ Source: Para 9.5 to 9.9 Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015)

- c) **Other arguments:** Recently, Dr. S. Y. Quraishi in an article³² on simultaneous elections pointed out some additional points as counter-arguments to simultaneous elections. He mentioned the following points “a) Having to face electorate more than once every 5 year enhances the accountability of politicians and keeps them on their toes and b) many jobs are created during elections, boosting the economy at the grass-root levels”.

4.5 The first criticism related to operational feasibility is presumably the biggest challenge and hence has been discussed in detail throughout the next section. This section primarily discusses the second and the last criticism.

4.6 Starting with the last criticism, the first point essentially links frequent election cycle to increased accountability of politicians. In this regard the, it is important to point out that the inherent democratic nature of the Indian governance framework does not make a politician “permanent member” of a legislature. Every politician needs to go back to the electorate once his/term is over for re-election. This inherent nature strongly ensures his/her accountability to electorate. Independent judicial oversight and accountability of the Council of Ministers to legislatures further make the political arm of the Government accountable in a manner more potent than frequent elections per se.

4.7 Similarly, on the second point, while frequent elections may create jobs and may provide economic boost, such impact is typically temporary and at best for a short-term. Sustainability and efficacy of such economic benefits is questionable. Expenditures to woo electorates often incentivizes politicians to start recovering their investments once elected which in-turn fuels corruption and parallel black economy. And hence, while further counter-arguments may also be presented, this note does not probe these points further in the interest of limiting the focus to the larger criticism of impact to voter behavior.

4.8 With regards to the second criticism, a recent study published by IDFC institute³³ concludes - “on average, there is a 77 per cent chance that the Indian voter will vote for the same party for both the State and Centre when elections are held simultaneously”. Meaning, in about 77% of the total Assembly constituencies, the winners came from the same party as that of the Parliamentary constituency. The authors of this study analyzed electoral data for four rounds of Lok Sabha elections – 1999, 2004, 2009 and 2014. They chose States whose elections coincided with the above elections and noted that “trend of choosing the same party has gone from 68 per cent in 1999 to 77 per cent in 2004 to 76 per cent in 2009 and 86 per cent in 2014” implying that “the ability or willingness of the voter to vote differently is only decreasing with time”.

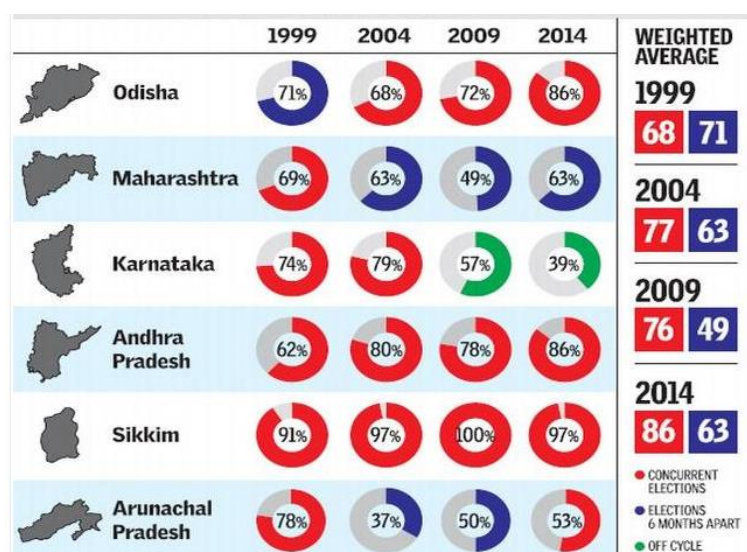
4.9 The authors further analyzed six cases during the same period when Parliament elections and State Assembly elections were held separately but within six months of each other. They concluded that “in 61 per cent of Assembly segments, the voters chose the same party for both Parliament and State, down from 77 per cent when elections were held at the same time..... In the years that elections were held together, 77 per cent of the Assembly constituencies produced a winner from the same party. When the cycle was

³² Source: <https://www.thequint.com/opinion/2016/06/13/holding-ls-assembly-polls-together-is-desirable-but-not-feasible>

³³ Source: <http://www.thehindu.com/opinion/op-ed/state-assembly-elections-nudging-the-voter-in-one-direction/article8438114.ece>

broken, only 48 per cent of the constituencies produced the same party winner”. The results of their findings are presented in the figure below.

Figure: Analysis of Lok Sabha & Vidhan Sabha results under simultaneous elections



Source: Study published by IDFC Institute (<http://www.thehindu.com/opinion/op-ed/state-assembly-elections-nudging-the-voter-in-one-direction/article8438114.ece>)

4.10 In another recent article³⁴ published by Prof. Sanjay Kumar, Director – Center for Study of Developing Societies (CSDS) and Prof. Jagdeep Chhokar – Association of Democratic Reforms (ADR), the authors state that “If we consider elections from the 1989 general election onwards, there have been 31 instances of holding simultaneous elections for State Assemblies and the Lok Sabha in different States: Andhra Pradesh (1989, 1999, 2004, 2009 and 2014), Odisha (2004, 2009 and 2014), Karnataka (1989, 1999 and 2004), Sikkim (2009 and 2014), Tamil Nadu (1989, 1991 and 1996), Maharashtra (1999), Assam (1991 and 1996), Haryana (1991 and 1996), Kerala (1989, 1991 and 1996), Uttar Pradesh (1989 and 1991), West Bengal (1991 and 1996), Arunachal Pradesh (2009 and 2014) and Telangana (2014). When simultaneous elections for the Assembly and the Lok Sabha were held in these States, in 24 elections the major political parties polled almost a similar proportion of votes both for the Assembly and the Lok Sabha, while only in seven instances was the choice of voters somewhat different. It was noticed thrice in Tamil Nadu (1989, 1991 and 1996) when the votes polled by the Congress and the All India Anna Dravida Munnetra Kazhagam were different for the Assembly and Lok Sabha. The other similar examples are from Arunachal Pradesh during the 2004 and 2014 elections (when the Bharatiya Janata Party polled more votes for its Lok Sabha candidates compared to those for its Assembly candidates), in Haryana during the 1996 elections and in Andhra Pradesh in 2014. During the same period, when in many States the Assembly and Lok Sabha elections were held at different times, the electoral outcome (votes polled by different parties) of the two elections has been different”.

4.11 The above studies are often quoted by critics as an evidence of the hypothesis that simultaneous elections would harm the federal democratic structure of the Indian polity. Critics argue that simultaneous elections would benefit larger national parties at the cost of

³⁴ Source: <http://www.thehindu.com/opinion/lead/jagdeep-s-chhokar-and-sanjay-kumar-write-on-concurrent-elections-to-state-and-lok-sabha-elections-the-case-against-simultaneous-polls/article9150753.ece>

regional parties. Referring the above article, in a recent conference³⁵ organized by Association for Democratic Reforms (ADR) on “Simultaneous Elections – Possibilities and Challenges”, Prof. Kumar concluded that “*Simultaneous elections will curb the voice of people living at the margins of the society by strangulating the scope for regional parties which reflect local aspirations/issues. This will reverse the process of deepening democracy.*”

4.12 However, in the context of elections in India, voting is a complex phenomenon and is driven by a gamut of factors such as – incumbency / anti-incumbency of Governments, organizational strengths/presence of alternate political options in that State, voters’ perception of key leaders and candidates in Assembly / Parliamentary constituencies, political parties’ stand on various state / national issues of importance, political pacts between parties and so on. To add to these, there are various other social aspects such as caste, religion, local community dynamics, voter bribery etc.

4.13 In the cases analyzed by the studies above, the following arguments are noteworthy:

- a) First, the above studies essentially indicate that the “**effect**” essentially is voters tending to choose same party for Lok Sabha and State Assembly. These, however do not conclusively attribute the “**cause**” for the above “**effect**” to simultaneous elections. As it is said in statistics, “*Correlation does not imply causation*” i.e. correlation between the occurrence of 2 events does not automatically establish cause and effect relationship between them. In other words, the studies above do not cite sufficient evidence to conclude that the above results can be primarily attributed to “simultaneous elections”. For example, in 2014, the state of Odisha voted for re-election of its incumbent State Government (led by Biju Janta Dal (BJD) – a state party). The BJD also won the maximum Lok Sabha seats from the state – 20 out of 21 seats. Similarly, Sikkim also voted for re-election of its incumbent State Government (led by Sikkim Democratic Front (SDF) – a state party) which also won the Sikkim Lok Sabha seat. In these cases, it can be strongly argued that the dominant factors that led to such results were organizational strength of winning parties in Odisha and Sikkim, lack of strong visible alternatives for the electorates, perceptions of key leaders and contestants etc. and not merely the simultaneous timing of elections. Hence, there is no evident case to conclude decisively that voters chose the same party simply because of simultaneous timings and not because of other factors cited above;
- b) Second, the above criticisms also point out that simultaneous elections would weaken the federal democratic structure of the Indian polity. Critics conclude that simultaneous elections would benefit larger national parties at the cost of state/regional parties in case of a “national wave in favor of large national parties”. Continuing the above examples, it is evident that the mood of the electorate within the above states was not “influenced” by the mood of the larger national electorate which voted Bharatiya Janata Party (BJP) led National Democratic Alliance (NDA) Government to the Lok Sabha in 2014. On the contrary, in case of Odisha, the BJD increased its vote share³⁶ from 37.23% in 2009 Lok Sabha elections to 44.77% in

³⁵ Source: <http://adrindia.org/content/discussion-%E2%80%9Csimultaneous-elections-%E2%80%93-possibilities-and-challenges%E2%80%9D-26th-oct-wednesday>

³⁶ Source: ECI Website

2014 despite the larger national trend in favor of BJP led NDA. Such cases clearly show that the argument that simultaneous elections would compromise the federal structure and that it would harm regional/state parties if there is a wave in favor of larger national parties is a weak conclusion at best.

- c) Further, in the case of larger states listed in the IDFC study – Maharashtra, Karnataka and Andhra Pradesh, elections to the states of Karnataka and Maharashtra have not been really synchronous with that of the Lok Sabha. In 2009 and 2014, elections to Karnataka Assembly preceded that to Lok Sabha by about a year. Elections to Maharashtra Assembly were held about few months later than Lok Sabha elections and not simultaneously. Using voting patterns in these states hence may not provide a consistent picture. In the case of Andhra Pradesh, while the electorate voted largely for the same party at the State and Union elections, it is not possible to conclude without analyzing the ground realities in detail that this voting pattern was primarily due to simultaneous elections and not a result of other factors.

4.14 The above arguments clearly indicate that there is no strong basis/evidence to consider the criticisms highlighted above as true. Supporting this view, the Hon'ble Union Minister of Urban Development also notes³⁷ that *“The fears that holding simultaneous elections would affect the federal nature of the Indian polity appear to be completely unfounded. As a matter of fact, it would help in better coordination between the governments at the Centre and in various States, rather than moving the country towards becoming a unitary state. Did the holding of simultaneous elections between 1952 and 1967 (when this cycle was broken for politically motivated reasons) in any way make the country a unitary state at that time? Is there any evidence to this effect for anybody to draw such a conclusion? India’s parliamentary democracy, based on strong constitutional principles, is mature enough not to slip into a unitary model just because of simultaneous elections. The country will achieve progress and remain strong only when the Centre and States act as equal partners, irrespective of the political differences of those governing at the national and regional levels”*.

4.15 In a mature democratic set-up that India is, the mandate of voters for State Assembly elections or Lok Sabha elections held simultaneously or otherwise is generally a reflection of a range of parameters and not merely the timing. There have been many cases where voters have voted for same parties at the State and Lok Sabha even when such elections did not take place simultaneously. There are many other examples where voters have voted for smaller state/regional parties even in Lok Sabha elections irrespective of the larger national trends in favor of select national parties. All such examples indicate that by and large voters are capable to assess their best interests and cast their votes to candidates/parties that he/she wants to.

4.16 To sum it up, correlating a particular parameter (simultaneous timing of elections) to explain election results would be over-simplifying the complexity of voting behaviors and undermining the maturing of Indian electorate as well. Together the above arguments clearly indicate that there is no strong basis to conclude that simultaneous elections should not be considered.

³⁷ Source: <http://www.thehindu.com/opinion/op-ed/breaking-out-of-election-mode-writes-venkaiah-naidu/article9176494.ece>

5. How to implement simultaneous elections

5.1 As stated earlier, the biggest criticism of the idea of simultaneous elections is that it is impractical. The underlying hypothesis here is that the idea looks great “on paper” but is operationally not feasible. The following are the key challenges that are cited against this:

- a) How would terms of Assemblies/Lok Sabha be synchronized for the first time? Would it be feasible to extend or curtail the existing terms of some State Assemblies to facilitate the above?
- b) If elections are held simultaneously, what would happen in case the ruling party or coalition loses majority in between term, either in Lok Sabha or in State assemblies? Should the term of Lok Sabha and assemblies be fixed?
- c) Operational challenges - Is it practically feasible for the ECI to conduct elections at such a massive scale – considering logistics, security and manpower resource requirements?

5.2 With the above background, this section intends to dig deeper into the above challenges and evolve solutions that can make on-ground implementation of this concept feasible. For this purpose, the following relevant challenges are addressed in this section:

- I. How to synchronize the terms of Legislative Assemblies and Lok Sabha for the first time;
- II. How to implement simultaneous elections: Suggested Proposal;
- III. How to make simultaneous elections sustainable over the longer term;
- IV. Is it operationally feasible to implement simultaneous elections – Logistics and resource requirement perspective.

I. How to synchronize the terms of Legislative Assemblies and Lok Sabha for the first time – Key principles for consideration and framework

5.3 The current electoral cycle is such that, in general, there are about 5-7 elections every year in the country. And therefore it will be **impossible** to synchronize electoral cycles of State Assemblies with Lok Sabha for the first time without a **one-time** extension or curtailment of existing tenures of either most Legislative Assemblies or the Lok Sabha itself. Hence, any solution to implement simultaneous elections would necessarily involve appropriate one-time adjustments to terms of Lok Sabha or State Assembly.

5.4 With the above context, this section attempts to examine the following questions: First, how should a reference date / timeline for initiating implementation of this concept be chosen. Second, having chosen the initiation timelines, on what basis should the terms of Lok Sabha and various State Assemblies be synchronized to fit the same.

5.5 Starting with the first point of choosing a reference date / timeline for initiating implementation of this concept. Given that the Lok Sabha covers the entire nation, the obvious choice to kick-off implementation would be to peg the simultaneous election cycle with a Lok Sabha election rather than one or a group of State Assembly elections.

5.6 The elections to the 17th Lok Sabha elections are due in 2019 and that for the 18th Lok Sabha (assuming a normal 5-year term) would be due in 2024. Considering the importance and priority of this issue within the highest levels of the Government, it is suggested that this idea be first attempted along with the elections for the 17th Lok Sabha which is expected to be constituted before June 2019. Assuming a 2 month multi-phase elections for the 17th Lok Sabha, it is suggested that April 2019 – May 2019 may be considered as the first dates for implementing simultaneous elections.

5.7 Coming to the second point. Having pegged cycle of simultaneous elections with that of Lok Sabha, terms of State Assemblies may need to be adjusted on the basis of some agreeable principles. Further, these principles need to be with constitutional and statutory boundaries and should be largely acceptable to various stakeholders - political parties, Governments as well general public/voters. To devise such acceptable principles, it is important to re-visit the key constitutional and statutory provisions discussed earlier and summarized below:

- Article 83(2) of the Constitution provides for a normal term of five years for the House of People (Lok Sabha). Article 172 (1) provides for similar tenure for State Legislative Assembly from the date of its first sitting.
- Both Lok Sabha and State Assemblies do not have a fixed term and can be dissolved earlier than its normal terms.
- Tenure of the House cannot be extended beyond 5 years except in emergency situation.
- Section 14 and 15 of the Representation of People Act 1951 empowers the Election Commission of India to notify the elections to both the Lok Sabha and State Legislative Assemblies six months prior to the end of the normal terms of the Houses.

5.8 Considering the above, the following broad principles are suggested to synchronize the terms of State Assemblies to implement simultaneous elections in the country:

- Extension of term of a Legislative Assembly should normally be not preferred unless inevitable;
- Curtailing term of a Legislative Assembly should be kept minimum to the extent possible;

5.9 The above principles take it as a given that appropriate amendments to Constitution or other statues would be required to effect a one-time extension or curtailment of tenures of Legislative Assemblies.

II. How to implement simultaneous elections: Suggested Proposal

5.10 Having suggested some broad principles to synchronize terms of State Assemblies for simultaneous elections, the paragraphs below present details of the suggested proposal for implementing the same.

5.11 A quick review of the terms of existing State Assemblies indicate that it would be nearly impossible to implement simultaneous elections to the Lok Sabha and all State Assemblies at one go from April – May 2019 (i.e before June 2019). If this is to be done, then estimates show that tenures of many State Assemblies would need to be curtailed by more than 2 years (examples like Assam, Kerala, Tamil Nadu etc.) and tenures of many

other State Assemblies would need to be extended by more than 2 years (examples like Goa, Uttar Pradesh, Uttarakhand etc.). The details are presented in the table below.

Table: Approximate extensions or curtailments of Assembly tenures in case elections to Lok Sabha and All State Assemblies are held April – May 2019

Sl. No.	State Assembly / Lok Sabha	Constitution of next term by	Approx Curtailment (-) or Extension (+) with reference to June 2019 (Numbers in Months)
1	Andhra Pradesh	Jun-19	0
2	Arunachal Pradesh	Jun-19	0
3	Assam	Jun-21	-24
4	Bihar	Nov-20	-17
5	Chattisgarh	Jan-19	5
6	Goa	Mar-17	27
7	Gujarat	Jan-18	17
8	Haryana	Nov-19	-5
9	Himachal Pradesh	Jan-18	17
10	Jammu & Kashmir	Mar-21	-21
11	Jharkhand	Jan-20	-7
12	Karnataka	May-18	13
13	Kerala	Jun-21	-24
14	Madhya Pradesh	Jan-19	5
15	Maharashtra	Nov-19	-5
16	Manipur	Mar-17	27
17	Meghalaya	Mar-18	15
18	Mizoram	Dec-18	6
19	Nagaland	Mar-18	15
20	Odisha	Jun-19	0
21	Punjab	Mar-17	27
22	Rajasthan	Jan-19	5
23	Sikkim	May-19	1
24	Tamil Nadu	Jun-21	-24
25	Telangana	Jun-19	0
26	Tripura	Mar-18	15
27	Uttarakhand	Mar-17	27
28	Uttar Pradesh	May-17	25
29	West Bengal	Jun-21	-24
30	NCT of Delhi	Feb-20	-8
31	Puducherry	Jun-21	-24
32	Lok Sabha	Jun-19	0

Source: NITI Analysis

5.12 The above situation where tenures of some Assemblies would need significant extensions / curtailment is clearly undesirable. This may possibly be unacceptable to many stakeholders particularly political parties. Besides, this situation is also not consistent with

the broader principles listed earlier. Without wider stakeholder consensus and acceptability, it would be almost impossible to implement simultaneous elections in its “literal sense” –elections to all State Assemblies and Lok Sabha together.

5.13 Taking a step back here, it is important to re-visit the problem statement. As noted earlier, fundamental issue essentially is the frequency of elections in the country. Hence, simultaneous elections, as a potential solution to the above problem, needs to be seen in a wider context rather than its literal meaning. Accordingly, a proposal that largely synchronizes electoral cycles and thereby significantly limits frequent election cycle would be a workable solution to the above problem. Hence, a phase-wise synchronization of tenures of Lok Sabha and Assemblies is suggested instead of a one-shot mechanism.

5.14 In this regard, the Department related Parliamentary Standing Committee in its 79th report has recommended an alternative and practicable method of holding simultaneous elections. The Committee has recommended a **two-phase** approach for the same. Paragraph 17.2 of the Committee report recommends “...*The Committee has envisaged holding of elections of some Legislative Assemblies at midterm of Lok Sabha and remaining with the end of tenure of Lok Sabha..... Similarly, the second phase of elections can be held in 2019 along with the General Elections to Lok Sabha*”.

5.15 Building further upon the above idea proposed by the Parliamentary Standing Committee which they recommended after extensive analysis and stakeholder consultations, it is suggested that simultaneous elections be considered in two-phases. Phase I is suggested to be in sync with that of the Lok Sabha elections i.e **April – May 2019**. Phase II is suggested approximately mid-way in the term of the Lok Sabha i.e 30 months after Phase I - around **October – November 2021**. Thereafter, it is envisaged to conduct elections every 2.5 years (30 months) in the country once the entire electoral cycles of Lok Sabha and all State Assemblies are synchronized by December 2021.

5.16 Using the above approach and using the principles listed in the previous step, an attempt has been made to estimate likely extensions or curtailments to the tenures of various State Assemblies. Such extensions or curtailments have been estimated based on likely end month of their existing tenures (assuming that State Assemblies are not dissolved pre-maturely) and in some cases likely end months of next Assembly terms (where elections are to be held before April – May 2019).

5.17 To elaborate this, the tenures of Andhra Pradesh, Arunachal Pradesh, Odisha, Sikkim and Telangana are likely to end along with the tenure of the 16th Lok Sabha around June 2019. Hence, the tenures of these State Assemblies would not require any adjustments. On the other hand, tenure of the State Assembly of Assam is likely to end around June 2021. Accordingly, it is suggested to extend the tenure of the assembly by 6 months to fit its election cycle in the 2nd Phase: October- November 2021.

5.18 The detailed assembly-wise view of the above proposal with estimations of likely extension or curtailment for each assembly is given below.

Table: Suggested Proposal for simultaneous elections and approximate extensions/curtailments of State Assembly terms (in months)

Sl. No	State Assembly / Lok Sabha	Election before	Next Election before	Synchronization Phase		Regular Elections	
				Phase I: Jun-19	Phase II: Dec-21	Ph- I Jun-24	Ph- II Dec-26
				April - May 2019	Oct - Nov 2021	Apr - May 2024	Oct - Nov 2026
1	Andhra Pradesh	Jun-19		No change			
2	Arunachal Pradesh	Jun-19		No change			
3	Assam	Jun-21			Extend 6 months		
4	Bihar	Nov-20			Extend 13 months		
5	Chattisgarh	Jan-19		Extend 5 months			
6	Goa	Mar-17	Mar-22		Curtail 3 months		
7	Gujarat	Jan-18	Jan-23		Curtail 13 months		
8	Haryana	Nov-19		Curtail 5 months			
9	Himachal Pradesh	Jan-18	Jan-23		Curtail 13 months		
10	Jammu & Kashmir*	Mar-21			Extend 9 months		
11	Jharkhand	Jan-20		Curtail 7 months			
12	Karnataka	May-18	May-23	Extend 12 months			
13	Kerala	Jun-21			Extend 6 months		
14	Madhya Pradesh	Jan-19		Extend 5 months			
15	Maharashtra	Nov-19		Curtail 5 months			
16	Manipur	Mar-17	Mar-22		Curtail 3 months		
17	Meghalaya	Mar-18	Mar-23		Curtail 15 months		
18	Mizoram	Dec-18		Extend 6 months			
19	Nagaland	Mar-18	Mar-23		Curtail 15 months		
20	Odisha	Jun-19		No change			
21	Punjab	Mar-17	Mar-22		Curtail 3 months		
22	Rajasthan	Jan-19		Extend 5 months			
23	Sikkim	May-19		No change			
24	Tamil Nadu	Jun-21			Extend 6 months		
25	Telangana	Jun-19		No change			
26	Tripura	Mar-18	Mar-23		Curtail 15 months		
27	Uttarakhand	Mar-17	Mar-22		Curtail 3		

Sl. No	State Assembly / Lok Sabha	Election before	Next Election before	Synchronization Phase		Regular Elections	
				Phase I: Jun-19	Phase II: Dec-21	Ph- I Jun-24	Ph- II Dec-26
				April - May 2019	Oct - Nov 2021	Apr - May 2024	Oct - Nov 2026
					months		
28	Uttar Pradesh	May-17	May-22		Curtail 5 months		
29	West Bengal	Jun-21			Extend 6 months		
30	NCT of Delhi	Feb-20		Curtail 8 months			
31	Puducherry	Jun-21			Extend 6 months		
32	Lok Sabha	Jun-19		No change			

Source: NITI Analysis

**Note: The State of J&K has been included in this proposal as a start. However, given that the tenure of State Assembly is 6 years, it will need to be treated separately in subsequent cycles.*

5.19 It may be noted here that the quantum of adjustments (curtailments / extensions in months) have been computed with reference to the months of June 2019 and December 2021. Hence, it is likely that the above estimates may not be precise due to varying end-dates of term of a State Assembly within a given month. The above estimates are instead meant to support a holistic presentation of the simultaneous election proposal.

5.20 As can be seen, the above proposal **largely** addresses various considerations discussed earlier. Added advantage of the above proposal is that this synchronizes the election cycle into approximately two halves. Phase I roughly accounts for elections to **14 States** along with Lok Sabha while Phase II accounts for the balance **16 States**.

5.21 However, some exceptional cases here may need to be noted. In case of states such as Bihar, Gujarat, Himachal Pradesh, Tripura, Nagaland etc, implementing this proposal may require curtailing the terms of their Assemblies by more than 12 months. The only exception is Karnataka where synchronization with April-May 2019 cycle would require extension by 12 months. This is undoubtedly inconvenient. However, given the transformative impact of this initiative as, it will be necessary for all stakeholders to overcome such one-time inconvenience. The Government and key decision makers would need to work towards achieving consensus and co-operation across political parties and institutions like ECI for eventual implementation for the larger benefit of the country.

III. Can simultaneous elections be sustained over the longer term

5.22 The suggested proposal above, if implemented, can only help start the process of simultaneous elections in the country by synchronizing election cycles the first time. As the constitutional provisions do not fix the term of either a State Assembly or the Lok Sabha, it would only be a matter of time when the electoral cycle gets disturbed again. And therefore, the above proposal is incomplete without addressing how to make simultaneous elections sustainable over the longer term. With this background, it is now attempted to address the following key issues raised earlier: what would happen in case the ruling party

or coalition loses majority in between term, either in Lok Sabha or in State assemblies? And, should the term of Lok Sabha and assemblies be fixed?

5.23 Election Commission of India has recommended specific ideas³⁸ to address the above aspects. It must be noted here that these recommendations are to be read in the context that elections to Lok Sabha and all State Assemblies are held together and not in two-phases as proposed earlier. The relevant recommendations are reproduced below for reference:

- a) In order to avoid premature dissolution, it may be provided that any 'no-confidence motion' moved against the government in office should also necessarily include a further 'confidence motion' in favour of a government to be headed by a named individual as the future Prime Minister and voting should take place for the two motions together;
- b) In spite of the above arrangement, if there is a situation where dissolution of Lok Sabha cannot be avoided, then the following options can be considered:
 - i) If the remainder of the term of the Lok Sabha is not long (period to be specified), there could be a provision for the President to carry out the administration of the country, on the aid and advice of his Council of Ministers to be appointed by him till, the time the next House is constituted at the prescribed time.
 - ii) If the remainder of the term is long (period to be specified), then fresh election may be held and the term of the House in such case should be for the rest of what would have been the original term
- c) In the case of Legislative Assembly also, in the event of 'no-confidence motion', it should be mandatory to simultaneously move a 'confidence motion' for formation of an alternative government. This will, in normal course, eliminate cases of premature dissolution of Assemblies. If for any unavoidable reason, any existing Legislative Assembly has to be dissolved prematurely, there should be a provision for the Governor to carry out the administration of the State, on the aid and advice of his Council of Ministers to be appointed by him, or for the imposition of the President's Rule, till period of expiry of term.
- d) If, following a general election, none of the parties is able to form a government and another general election becomes necessary, the term of the House in such case after the fresh election should be only for the remainder of what would have been the original term. Similarly, if the government has to resign for some reason and an alternative is not possible, then provision can be considered for a fresh election if the remainder of the term is comparatively longer period (to be specified) and in other cases, rule by the Governor or President's Rule as suggested in (c) above could be considered.
- e) Two windows of one-and-a-half months each may be fixed for holding all bye-elections that become due in a particular year.

5.24 ECI's recommendations under a) and c) have the effect of enhancing the stability of legislatures (both Lok Sabha and State Assembly). This would thereby make instances of pre-mature dissolution rare. To add further, provisions of Anti-Defection Act 1985 and the

³⁸ Source: Paragraph 7.0: Report of the Parliamentary Standing committee on Personnel, Public grievances, Law and justice - 79th report (Dec 2015)

Supreme Court judgment in the case of S. R. Bommai vs. Union of India (AIR 1994 SC 1918) also make pre-mature dissolution of legislatures significantly difficult (noted under Para 16.2 of the Parliamentary Committee report). Therefore implementation of ECI recommendations along with the above provisions would adequately ensure that legislatures remain stable and that they are rarely dissolved pre-maturely.

5.25 That said, the country has witnessed unstable Governments and pre-mature dissolutions in the past. The Law Commission of India in its 170th report, Para 7.1.3 notes this concern “...*In a parliamentary form of government, the government has no fixed term. Though its term is co-terminus with the life of the House, it can be defeated or it may fall, on many counts.....In 1999, in particular, the government was defeated on the ‘confidence motion’ moved by the government but no alternative government could be formed, making a general election inevitable within 13 months. It has made us hold parliamentary elections almost every year. It is neither good for the country nor for the political parties. The governance and economy are the first casualties of such transfiguration. There is a danger that such situations may lead to public disenchantment with the parliamentary form of government.....*”. In this era of coalition politics, there is no basis to firmly say that such instances may not recur going forward. Accordingly, it is equally pertinent to put in place an appropriate framework that addresses situations when pre-mature dissolution of a legislature becomes inevitable.

5.26 Inevitable premature dissolution of dissolutions can be addressed by leveraging two-phased simultaneous elections. For this, ECI’s recommendations under b) and d) above have been tweaked slightly to fit the context.

5.27 To elaborate the above tweaking, let’s assume that Assembly of State A was constituted under Phase I elections in June 2019. Throughout its normal tenure of 60 months post elections, that Assembly faces the risk of pre-mature dissolution. Such dissolution further can happen at any point of time within its term of 60 months. Taking advantage of the two – phase approach discussed earlier (Phase I: March – April and Phase II: Oct-Nov), the table below presents conceptual solutions to address any unforeseen eventuality. The same is applicable to Lok Sabha as well.

Table: Conceptual solution in case Assembly of State A gets pre-maturely dissolved

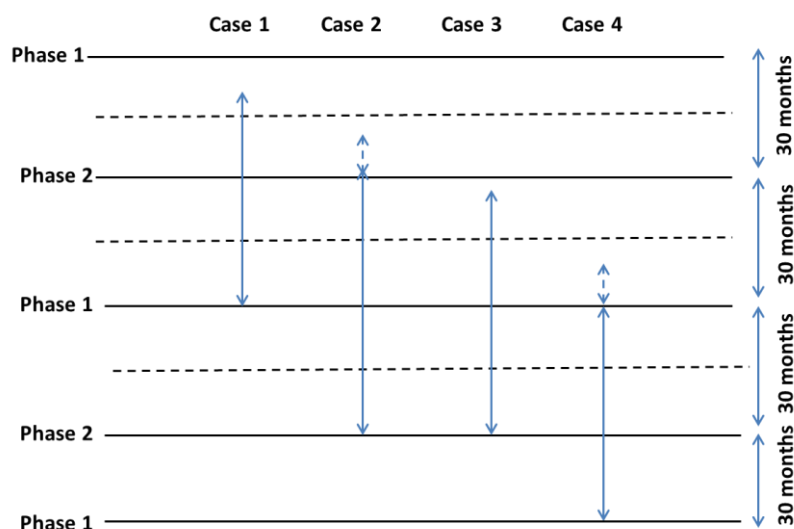
Case	Description of Case	Indicative solutions	Resultant approx. term of the new Government
Case 1	Assembly gets dissolved within 15 months of Phase I elections	Immediate Elections with term of the new Assembly lasting till the next round of Phase I elections	More than 45 months
Case 2	Assembly gets dissolved between 15 – 30 months of Phase I elections	President’s rule or other temporary arrangements for Government till Phase II. Fresh elections to be synchronized with Phase II thereafter.	60 months post fresh elections
Case 3	Assembly gets dissolved between 30 – 45 months of Phase I elections	Immediate Elections with term lasting of the new Assembly till the next round of Phase II elections	More than 45 months
Case 4	Assembly gets dissolved between 45 – 60 months	President’s rule or other temporary arrangements for	60 months post fresh elections

	of Phase I elections	Government till Phase I. Fresh elections again with Phase I now	
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Source: NITI Analysis

5.28 The above solutions have also been explained graphically below for easy understanding. The cases (Case 1 to Case 4) refer to the situations explained in the table above while Phase 1 and Phase 2 refer to the election cycles of April – May and Oct – Nov respectively.

Figure: Pictorial view of the suggested solution in case of pre-mature dissolution



5.29 It is important to note here that the above solution impacts the term of the Assembly – which is linked to the election cycle from the date of constitution of the Assembly rather than the normal term of 5 years. And therefore, in line with ECI’s recommendations, putting this framework or its variant to effect would necessarily involve amending the relevant Constitutional provisions.

5.30 All of the above measures, when implemented together, would comprehensively ensure sustainability of simultaneous election over the longer term. The first set of measures (ECI’s recommendations a) and c) along with existing provisions) would significantly reduce instances of pre-mature dissolutions of legislature. This would normally take care of majority of the cases when mandates are fractured or stability of Government is at risk for any other reasons. The second set of measures (suggested solution proposed above) would address cases where pre-mature dissolution becomes inevitable.

IV. Is it operationally feasible to implement simultaneous elections: Logistics and resource requirement perspective

5.31 The final aspect of this section relates to Operation considerations of conducting simultaneous elections in the country. In the present electoral cycle, ECI typically conducts elections to either a group of State Assemblies or to Lok Sabha along with few Assemblies. In case simultaneous elections are implemented, ECI may need to mobilize significantly more resources considering the increased scope of elections.

5.32 Such resources would normally include: a) Polling officials for supervision and conduct of elections; b) Security personnel (Central Armed Police Forces, Armed Police Forces of the State etc.) to ensure safe, secure, incident free polls; c) Supply of Electronic Voting Machines (EVMs including Control Units (CUs) and Balloting Units (BU)) for voting at each polling stations; d) Transportation and Storage of poll related materials – EVMs, inks, paper for electoral rolls, VVPATs, digital cameras, video cameras; e) Transportation requirements of Election Commission officials and security personnel; e) Strong rooms for storage of EVMs till counting and other resources as may be required.

5.33 With the above context, the paragraphs below aim to examine the operational and practical feasibility of conducting simultaneous elections in India from the point of view of resources and logistics requirements.

5.34 Strategic Plan 2016-2025 published by the Election Commission of India notes that “*Indian general elections are the largest event management exercise on earth during peace times*”³⁹. Commenting on the size and scale of Indian elections, the Strategic Plan document further mentions “*The magnitude and complexity of the Indian election can be estimated from the fact that the Indian elections are not only the largest exercise in logistics in the world but are also considered as one of the most credible elections in the world. India, in fact, accounts for the largest share of electors in any country, exceeding the total number of electors in the entire American continent, or even that of the entire African continent, or that of all the European nations put together*”⁴⁰.

5.35 A review of nature of resources mentioned above indicate that the quantum of such resource requirements is broadly driven by the following:

- a) The total size of electorate / eligible voters: The size of the electorate determines the approximate number of polling stations that need to be set up for conducting elections. An increase in size of electorate would lead to corresponding increase in the number of polling stations to be set up. Rough review of past data indicates that the number of voters per polling station⁴¹ typically ranges from around 800 to 1000.
- b) The number of polling stations drive personnel requirements – supervisory staff, security staff etc: For the 2014 Lok Sabha elections, ECI took the help of approximately 10 million personnel as polling officials for running and supervising the election process across 9,30,000 Polling Stations of the country⁴². This translates to an average requirement of about 10.75 personnel per polling station. Similarly, around 1349⁴³ Companies of CAPFs were deployed in the same elections.
- c) EVMs: Polling stations and the number of candidates standing in the constituency of the polling booth drive the requirements of EVMs (comprising Balloting unit

³⁹ Source: Paragraph 10.0 Strategic Plan 2016-2025 published by Election Commission of India

⁴⁰ Source: Paragraph 10.0 Strategic Plan 2016-2025 published by Election Commission of India

⁴¹ Para 6.4, Pocket Book 2015-16 ECI, however indicates that “Polling stations are generally setup for 1200 electors in rural areas and 1400 electors in urban areas barring exceptions. Polling stations are set up by district election officers with the approval of election commission. Separate polling stations are allowed for 300 or even fewer electors in remote locations. The total number of polling stations as of January 2016 in the country is 9,46,065”

⁴² Source: Paras 12, 13 and 14 of the Strategic Plan Book of ECI

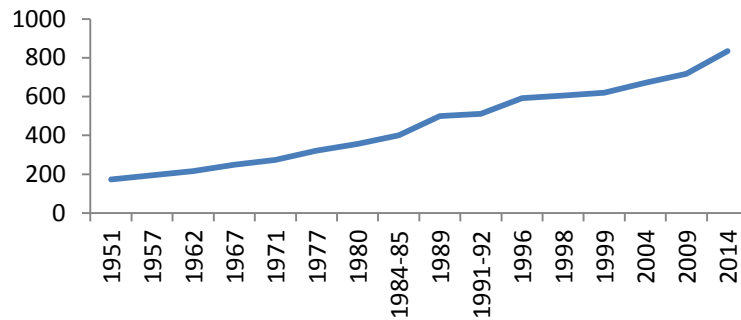
⁴³ Source: Page no. 28 to 30, “India Votes – The General Elections 2014” published by the Election Commission of India

(BU) and Control Unit (CU)). 1 Balloting Unit typically accommodates 16 values - 15 candidates + 1 NOTA. In case the number of candidates standing from a particular constituency is more than 15 say for example 30, then each polling station of that particular constituency would need 2 Balloting Units. Rough assessment of 2014 Lok Sabha election data indicates that it may be reasonable to assume a requirement of approximately 2 EVMs (2 BU and 2 CUs) per polling station for a particular election.

- d) Transportation and storage requirements etc. are in-turn driven by the assessment of above resources.

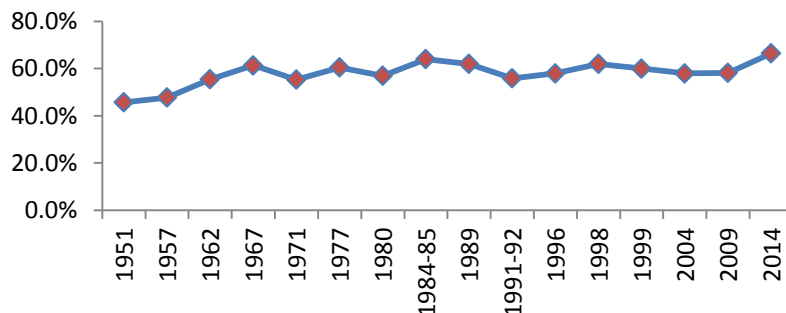
5.36 In terms of the total size of the electorate, the total electorate size increased from around 173 million electors in the 1st General Elections of 1951-52 to about 834 million electors in 2014. While voter turnout trends have varied across various Lok Sabha elections, the 2014 elections saw a record voting of about 66.4% of the total electorate size. The graphs below show the trends of the size of electorate and voter turnouts.

Figure: Trends of the size of electorate (Y-axis in millions)



Source: ECI Pocket Book 2015-16

Figure: Trends of Voter turnouts in Lok Sabha elections (Y-axis in %)



Source: ECI Pocket Book 2015-16

5.37 Simultaneous elections would clearly open up possibilities of resource optimization. In such a case, while the requirements of some resources would increase significantly possibly double or more, that of others may not see a similar proportionate increase. So, in case of simultaneous elections, it is likely that:

- a) EVMs: As separate EVMs would be needed for Lok Sabha and State Assembly elections respectively, requirement of EVMs (Balloting Units and Control Units) is likely to increase considerably. This would also increase the requirement of transportation and storage of the same;
- b) Personnel: However, the requirement of personnel and security companies may possibly not increase in a similar proportion as that of EVMs. This is because simultaneous elections per se would not increase the number of polling stations – a parameter that drives personnel requirements. While there may be some increased requirements, it should be possible to manage this increment through support from State’s administrative and security machinery. As such, it is normal for ECI to take support from State Armed Police forces in case availability of CAPF falls short of the demand.

5.38 Therefore, considering the above, incremental requirement of EVMs (the Balloting Units and Control Units) is likely to bigger pose a challenge to the operational feasibility of simultaneous elections as compared to that of personnel and security companies. Hence, it is attempted to get an indicative sense of incremental EVM requirements at least for Phase I which envisages elections to 14 States along with that of Lok Sabha.

5.39 Annexure III of the ECI Strategic Plan document presents ECI’s estimates of the resource requirements for conducting General Elections in 2019 and 2024. ECI’s estimates indicate that it may be reasonable to assume a requirement of about 2.0 BU and 1.9 CU/ Polling stations. Using these broad thumb-rules, rough estimation of incremental EVMs with reference to the Phase I proposal has been done. The findings are presented below. It may be noted that while Phase I envisages elections to Lok Sabha and 14 States, incremental EVMs are estimated only for 14 States assuming the number of polling stations as per the data given in ECI Pocket Book 2016.

Table: Approximate Estimates of incremental resource requirements for implementing simultaneous elections (Phase I and Phase II)

Description	Units	Phase I
		14 States
Approx Polling Stations* (as per ECI Pocket Book 2016. Sum of polling stations in the 14 states that are part of Phase I)	in lakhs	4.3
No. of BU (Assumption: 2BU/Polling station)	in lakhs	8.66
No. of CU(Assumption: 1.9 CU/Polling station)	in lakhs	8.01

Source: Date of Polling Stations () from ECI Pocket Book 2016. Other estimates- NITI Analysis*

5.40 The above assessment indicates that with the above assumptions, ECI may possibly require additional 8.6 lakhs Balloting Units and 8 lakhs Control Units to implement Phase I proposal. Given that ECI currently has a stock of about 20 lakhs BU and CUs and that in the year 2013-14⁴⁴ alone it had procured about 3.8 lakh BU’s and 2.5 lakh CUs, procurement and arrangement of the above does not seem impossible.

⁴⁴ Source: Item 13 (4) Annual Report of Law Ministry 2015-16, Page 54

5.41 Further, BU's and CU's are re-usable with a life of about 15 years and so conducting subsequent phases may become smoother. Hence, from operational considerations, implementing simultaneous elections in two phases is clearly feasible. The Government would however need to incur an upfront cost to procure the additional EVMs for the first time. The Parliamentary Committee report indicates that ECI expects an expenditure of about Rs. 9300 crores for procurement of EVMs and VVPATs. However, this cost would be a one-time cost and EVMs and VVPATs could be used for subsequent elections given a life of about 15 years. It is therefore likely that reduction in costs on conducting subsequent phases could more than make up for the above initial outgo.

5.42 The assessment that simultaneous elections are operationally feasible has also been supported and confirmed by ECI. In a recent interview, Nasim Zaidi, the Chief Election Commissioner of India, mentioned⁴⁵ *“As a Commission, this is our recommendation to the Law Ministry, that elections in the country can be held together for both State Assemblies as well as the Lok Sabha.... To conduct these elections simultaneously we would need certain logistic arrangements in terms of procurement of more electronic machines, hiring of temporary workers, and staggering the election dates..... We are on board with our proposal that elections can be held together provided there is consensus, unanimity of opinion among the political parties and also there are amendments in the Constitution.”* All of the arguments discussed above clearly indicate that while there would be incremental pressure on resource requirements for implementing simultaneous elections, it is clearly feasible from operational considerations.

6. CONCLUSION AND WAY FORWARD

6.1 Addressing the fundamental problem of frequent elections in the country is clearly a significant priority for the current Government. Considered a potential solution, the debate for holding simultaneous elections has been going on for some time now. However, lately the highest offices including the Hon'ble President and the Hon'ble Prime Minister have expressed their desire to evolve a broader consensus on this matter seriously and expeditiously. And they have expressed this desire at multiple forums.

6.2 As mentioned earlier, a gamut of literature, points of view of experts, recommendations of expert committees etc. is already available on this subject. This note leverages such available literature and comprehensively analyses various attendant issues to present an unbiased and a holistic view of the case for simultaneous elections in the country.

6.3 Feasible solutions to a range of fundamental aspects have been argued in the note. They include: What should be the scope of “simultaneous elections”, Why is it imperative to seriously and expeditiously consider holding simultaneous elections, Is it operationally feasible to implement simultaneous elections? If so, how? If implemented, how to make simultaneous elections sustainable over the longer term etc. In this sense, this note brings together possible solutions to all these questions in a comprehensive manner. Accordingly, this may serve as a ready-reckoner document should the key stakeholders including the Government, political parties, think-tanks, experts etc. wish to probe nitty-gritties of this matter further in the coming days.

⁴⁵ Source: <http://www.thehindu.com/news/national/ec-ready-for-simultaneous-national-state-polls/article8811791.ece>

6.4 There are many compelling reasons in favor of simultaneous elections. Suspension of development programs, welfare activities due to frequent imposition of Model Code of Conduct, massive expenditures by Government and various stakeholders on frequent elections, black money, engagement of Government personnel and security forces for a prolonged period of time, perpetuation of caste, religion and communal issues etc.

6.5 Out of all these, the impact of frequent elections on governance and policy making is perhaps the most significant. Frequent elections force Governments and political parties to remain in perpetual “campaigning” mode thereby impacting the focus of policy making. Short-sighted populist and “politically safe” measures are accorded higher priority over “difficult” structural reforms which may more beneficial to the public from a longer term perspective. This leads to sub-optimal governance and adversely impacts the design and delivery of public policies and developmental measures.

6.6 Considering Indian demographics and the ever increasing expectations of the young population, it is imperative to remove impediments to governance and to remove it expeditiously. In a recent public forum, the Hon’ble Prime Minister remarked⁴⁶ “*If India is to meet the challenge of change, mere incremental progress is not enough. A metamorphosis is needed....My vision for India is **rapid transformation, not gradual evolution**”.* Unlike gradual, incremental measures, transformative measures typically involve short-term pains and hence are seen as politically risky and unpopular to implement. Frequent elections, therefore, crowd Government’s risk taking capabilities and incentivize it to opt the safer status-quo’ist approach instead. Getting out of this “permanent election mode” will therefore be a **structural** change in mindset that could potentially provide the much needed **space** to Governments to focus on long-term transformational measures without worrying about the next impending election.

6.7 Having said that, it is difficult to “**quantify**” the gains from simultaneous elections. This would require estimating impact of those policies which should have been done but could not be done due to electoral compulsions. Since the existing cycle of frequent elections still works in one way or the other, one can argue “Why get into sweeping amendments of Constitution when we don’t know the quantum of benefits through this reform”. True that the existing system is not “entirely” broken. But, the political class is duty-bound to provide citizens a governance framework that best fits the needs of its population – a large proportion of which is young and demanding. Elections are meant to elect Governments who are then supposed to focus on rapid and transformative national development. As the current system of frequent elections is making Governments lose the above focus for which it gets elected, it’s imperative a structural change is brought about.

6.8 The proposal to conduct simultaneous elections not gone entirely uncontested. Critics have argued that such a step may undermine the depth and breadth of Indian democracy and that its operational feasibility is also a challenge. The note gets into details of this criticism and concludes that the above criticisms are un-warranted and can be overcome.

6.9 In terms of implementation, the note suggests workable solutions a summary of which is given below:

⁴⁶ Source: <http://www.narendramodi.in/pm-s-speech-on-the-occasion-of-transforming-india-lecture-513478>

Relevant Issues	Proposed solutions
Possible date of implementing simultaneous elections	May start implementation from 17 th Lok Sabha elections (say around April – May 2019)
How to synchronize terms of State Assemblies	<ul style="list-style-type: none"> - Proposed two-phase elections as the most feasible solution. Phase I (Lok Sabha + 14 States): April-May 2019, Phase II (remaining States): Oct-Nov 2021. This concept is in-sync with the proposal of the Parliamentary Standing Committee - Would need one-time extension or curtailment of terms of various State Assemblies based on some suggested rules / framework - Appropriate Constitutional and Statutory amendments to effect the above proposal would need to be considered
Should the term of Assembly / Lok Sabha be fixed and How to ensure continuity in simultaneous elections	Fixed term is not proposed. Instead, the relevant recommendations of ECI in this matter have been tweaked as suggested. Various cases have been discussed that address eventual pre-mature dissolution of an Assembly/Lok Sabha. Effecting these would involve appropriate Constitutional and Statutory amendments
Operational feasibility	There would be incremental pressure on resource requirements for implementing simultaneous elections. However, it is clearly feasible from operational considerations.

6.10 Elections impact everyone in the entire country – citizens, businesses, administrative machinery, constitutional institutions, political parties, leaders and so on. Eventual implementation of this measure would not only require significant Constitutional and Statutory amendments, it would also require significant consensus amongst the key stakeholders. Without a general consensus and wider acceptance, its intent and efficacy could be compromised. The Constitution does provide sufficient room to make amendments to suit the changing times and needs of the country. This flexibility is not just an enabling tool but in fact a responsibility on Governments to provide the best governance systems, processes and opportunities to its citizens.

6.11 As a way forward, it is therefore suggested that a focused group of stakeholders comprising constitution and subject matter experts, think tanks, government officials and representatives of various political parties come together and work out appropriate implementation related details. This may include drafting appropriate constitution and statutory amendments, agreeing on a workable framework to facilitate transition to simultaneous elections, developing a stakeholder communication plan etc. As is the case with long-term structural reforms, implementing this measure would also cause some short-term pain. However, this would be a stepping stone towards improved governance and a larger initiation of “electoral reforms” – a desperately needed measure to **re-boot** the Indian polity.