



EDITION INDIA

The Indian EXPRESS

JOURNALISM OF COURAGE

Thursday, Sep 19, 2024

EPAPER TODAY'S PAPER

Home ePaper My Express UPSC India Explained Opinion Politics Business Entertainment Sports Citie

TRENDING UPSC Pack Express Shorts Mini Crossword Premium Podcast Health & Wellness

ADVERTISEMENT

News / Explained / Explained Law / As Cabinet gives nods to simultaneous elections, what next?

Premium

As Cabinet gives nods to simultaneous elections, what next?

How will the simultaneous election project, cleared by the Union Cabinet, be implemented? What steps have been proposed by the Kovind panel? What constitutional amendments will be required?

Written by [Ajoy Sinha Karpuram](#) , [Arjun Sengupta](#)

New Delhi | Updated: September 19, 2024 07:54 IST





EXPRESS EXPI


 As Cabinet g
simultaneou:
next?

Kovind presents report to President Murmu in the presence of Home Minister Amit Shah. File photo

The Union Cabinet on Wednesday set the ball rolling on holding simultaneous elections to Lok Sabha, state Assemblies, and local government bodies, **clearing the proposal** of the High Level Committee on One Nation, One Election headed by former President Ram Nath Kovind.

In its report submitted to President [Droupadi Murmu](#) on March 14, the Kovind Committee recommended a series of constitutional amendments to facilitate simultaneous elections at the central, state, and local levels.

Union Minister [Ashwini Vaishnaw](#) told reporters that the move to simultaneous elections would be effected in two phases — in the first phase, Lok Sabha and Assembly elections will be aligned; the second phase, which will be held within 100 days of the first, will cover local body elections.

What happens after this?

The One Nation, One Election project hinges on two Constitution Amendment Bills **being passed by Parliament**, for which the government will need wide agreement across a range of parties. Since the [BJP](#) does not have a majority on its

own in Lok Sabha, it will have to talk to its allies in the NDA, as well as the opposition parties.

STORIES YOU MAY LIKE

Noida student sexual assault case: How the shirt he wore on day of...

'Bulldozer justice': As SC talks tough, a look at how it became the go-t...

Tavleen Singh writes: Gandhi's fixation with people's castes is not just...

EXPRESS EXPI



**As Cabinet g
simultaneou:
next?**

One way to build the required consensus is to refer the Constitution Amendment Bills to a parliamentary committee — this could be a parliamentary standing committee or a joint parliamentary committee. These House panels will have members of the opposition, and a consensus could come out of the discussions.

Also Read | One Nation, One Election: How the numbers stand in new Parliament

The Centre will have to reach out to the states as well. To ensure that local bodies too, are included in the scheme of simultaneous elections, at least half the total number of states will have to ratify the required amendment to the Constitution (more later).

While the BJP is currently in power in more than a dozen states, the coming Assembly elections in Haryana, [Maharashtra](#), and Jharkhand, could alter this arithmetic.

ADVERTISEMENT

What changes will be needed in the Constitution?

The first Constitution Amendment Bill to transition to a simultaneous election system **will require a 'special majority'** of both the Lok Sabha and Rajya Sabha. For this, two conditions have to be satisfied under Article 368 of the Constitu

EXPRESS EXPI

First, half of the total membership of both Lok Sabha and Rajya Sabha must favour of the amendment. Second, of the members present and voting, two-thirds must vote in favour of the amendment.



As Cabinet g
simultaneou:
next?

The second Constitution Amendment Bill will ensure that all local body elections (for municipalities and panchayats) are held within 100 days of the simultaneous elections. For this amendment to go through, an additional condition apart from the two mentioned above must be fulfilled.

This is because "local government" is a subject under the State List in the Seventh Schedule, which means only states have the power to pass laws on this subject. To amend the Constitution such that local body elections can take place alongside simultaneous elections, Article 368 stipulates that "the amendment shall also require to be ratified (agreed to) by the Legislatures of not less than one-half of the States" in the country.

What will happen in the event these Bills are passed by Parliament?

According to the roadmap presented by the Kovind Committee, the President will issue a notification during the first sitting of Lok Sabha after a general election, bringing into effect Article 82A — a new article introduced through the first Bill to facilitate the transition to simultaneous elections.

The date of this notification will be known as the "appointed date". Any state Assemblies elected after this "appointed date" will be dissolved once the Lok Sabha's term expires.

The transition to simultaneous elections will require some elected state Assemblies to dissolve before the expiry of their stipulated five-year term. For example, the election to the Bihar Assembly is expected to be held in October or November 2025. However, if simultaneous elections are implemented, the new Assembly will

dissolve in 2029 — before the Lok Sabha election scheduled in that year — and not in 2030 as it normally would.

This will allow fresh state Assembly elections to take place at the same time as the Lok Sabha election.

EXPRESS EXPI



As Cabinet gives nods to simultaneous elections, what next?

In the scheme proposed by the Kovind Committee, if a state Assembly or Lok Sabha is dissolved before the end of its 'full' five-year term, a 'mid-term' election will take place.

Also Read | One Nation, One Election: BJP sends message of resolve, willing to build consensus

However, the newly elected state Assembly or Lok Sabha will only serve for the remaining period before the next simultaneous elections are scheduled to take place. This period between a mid-term election and a scheduled simultaneous election will be known as the "unexpired term".

In case the Election Commission of India (ECI) believes that state Assembly elections cannot be held simultaneously, the Committee's report states that it can send a recommendation to the President to declare that the election will be conducted at a later date.

However, even if this state Assembly election is delayed, the next election will still take place simultaneously with the Lok Sabha and other state Assembly elections.

The ECI will create a "Single Electoral Roll for every territorial constituency for election in the House of the People, Legislature of a State or to a Municipality or a Panchayat", the Kovind Committee has said.



Want to go beyond the news and understand the headlines? Subscribe to Explained by The Indian Express

strugglingforexistence@gmail.com

Subscribe

EXPRESS EXPI



As Cabinet g
simultaneou:
next?

This roll — containing details of effectively every voter in the country — will be prepared in consultation with the State Election Commissions. This amendment too, will require ratification by half the country's states.

More Premium Stories



Month after RG Kar incident, Kolkata is a city at



Ministers, politicians who benefit from tweak in state land use



Kejriwal wants early polls to Delhi Assembly. What law says?

© The Indian Express Pvt Ltd

First uploaded on: 19-09-2024 at 07:00 IST

TAGS: Express Premium One Nation One Election

EXPRESS Shorts



SC hears UP madrasa law case: all you need to know about these