



## "Electoral Uniformity and Constitutional Diversity: Assessing India's One Nation, One Election Proposal through U.S. Federalism"

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### ABSTRACT :

This paper is a critical analysis of the Indian proposed One Nation, One Election (ONOE) initiative as presented in the Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024. It examines the implications of the initiative on federalism, representative democracy, separation of powers and the Basic Structure Doctrine. The analysis relies on the provisions of the Indian constitution, landmark Supreme Court decisions (such as Kesavananda Bharati and S.R. Bommai) and the suggested amendments (especially Article 83, Article 172 and new Article 82A) to evaluate whether ONOE conforms to or contravenes the Indian constitutional system. To provide a comparative control, the paper looks at the federal elections system of the United States, which in itself stagger the national and state elections, and how the U.S. constitutional doctrines and practices maintain the decentralized electoral governance. The hypothesis is that the ONOE proposal of India, through centralization of electoral scheduling, threatens to violate federal autonomy and democratic safeguards guaranteed by the basic structure of India\*. The research questions are as follows: What are the interactions between ONOE amendments and federal-state relations and Article 368 processes? Is simultaneous scheduling a contravention of fundamental constitutional characteristics (e.g. free elections, federalism, separation of powers)?† The paper reviews the literature, gives a doctrinal examination of the text of the amendment and constitutional boundaries, compares the U.S. election practices, and ends with policy recommendations. The results show that there exist high levels of conflicts between the goals of ONOE and the constitutional values of India, implying that the design or mitigation strategies would have to be carefully done to maintain federal and democratic integrity.

**Keywords:** One Nation One Election, Constitutional Amendment, Federalism, Basic Structure Doctrine, Separation of Powers, Representative Democracy, Election Commission of India, Article 368, United States Electoral System, State Autonomy, Judicial Review, Synchronised Elections, Electoral Reform, Constitutional Law, Indian Polity

### Research Methodology

The study is a doctrinal (or library-based) research methodology, which is mainly concerned with the study of legal principles, statutes, case laws, and scholarly commentary. To develop a complete picture of the topic, the researcher has extensively used both primary and secondary sources, including constitutional provisions, legislative texts, landmark judicial decisions, books, peer-reviewed journal articles, reports, and expert commentaries.

The study critically analyses the constitutional, legal and comparative aspects of the One Nation, One Election proposal in a federal system through qualitative analysis. It has focused on the interpretation of authoritative texts and the changing judicial discourse, and the goal has been to assess the feasibility of the proposal and its consequences on Indian democracy.

### Hypothesis

By imposing standardized electoral schedules in India, the ONOE initiative is probably inconsistent with the basic structure of the Constitution, especially the federal balance, federal-state autonomy, and the nature of representative democracy

\*Sharma, N. (2024, December 17). *One Nation One Election bill explained: Special majority, state ratification, role of JPC*. India Today.

<https://www.indiatoday.in/india/law-news/story/one-nation-one-election-bill-lok-sabha-rajya-sabha-assembly-elections-jpc-special-majority-state-ratification-criticism-advantages-2651316-2024-12-17>

†*Indira Nehru Gandhi v. Raj Narain*, (1975). AIR 1975 SC 2299; (1975) Supp SCC 1.

<sup>3</sup>Despite the intention to be efficient and cost-saving, ONOE can be centralizing and limiting the five-year terms of state legislatures. The theory is that ONOE, in the form suggested, could be outside the amending power of Parliament because it would violate fundamental constitutional characteristics (free/ fair elections, democratic accountability, and state autonomy) that the Supreme Court has declared immune<sup>4</sup>.

### Research Questions

- I. What are the amending provisions of the ONOE Bill under Article 368 and does the Bill modify any provisions (e.g. in the Seventh Schedule) that attract state ratification?
- II. What impact will the coordination of state and national elections have on the federal division of powers? Does ONOE overstep state autonomy guaranteed by the federal scheme of the Constitution (and by S.R. Bommai)?
- III. Does the compulsion of simultaneous elections affect the principles of free and fair elections, freedom of choice by the voter and accountability to the electorate?
- IV. Do ONOE provisions (e.g. new ECI powers, executive scheduling of elections) interfere with the separation of legislative, executive and judicial functions as a part of the basic structure?
- V. Can ONOE be struck down on the basis of contravening the basic constitutional characteristics like democracy, federalism and rule of law?
- VI. How does the U.S. federal system organize its own multi-level elections? What can the U.S. example teach or compare about decentralized electoral governance, fixed terms, and federal-state election powers?

### Keywords

One Nation One Election, Constitutional Amendment, Federalism, Basic Structure Doctrine, Separation of Powers, Representative Democracy, Election Commission of India, Article 368, United States Electoral System, State Autonomy, Judicial Review, Synchronised Elections, Electoral Reform, Constitutional Law, Indian Polity.

## Literature Review

The ONOE idea, that is, the simultaneous holding of Lok Sabha and State Assembly elections on the same timetable, has been much discussed. Advocates claim that it minimizes the financial and administrative costs of regular elections<sup>5</sup>, increases policy continuity, and liberates elected officials of constant electioneering. As an example, Kumar and colleagues note that India is spending huge amounts of money on rolling elections (approximately 7 billion dollars in the 2019 Lok Sabha alone) and propose synchronized elections would result in cost savings and alleviate voter fatigue. The high-level committee headed by the former President Kovind also supported ONOE as a way of enhancing governance by reducing the disturbances that are brought about by staggered polls<sup>6</sup>.

The critics respond that ONOE endangers fundamental democratic and federal values. The constitutional scholars caution that synchronization of elections can erode the independence of state legislatures and concentrate power, overturning the Union-State balance. They stress that shortening the term of a state elected legitimately by the voters is a watering down of the mandate of the voters. According to commentators, ONOE would create a system in which, in the event of an out-of-sync state assembly election, it could receive only a partial term to synchronize with the national calendar, which would effectively be a shorter term by design. This is a question of democratic legitimacy: a state government elected to a five-year term would be “dissolved before it has full term” to synchronize elections, which critics consider a serious breach of the electoral mandate.

A number of analyses are concerned with the constitutional aspect. Durani (2025) cautions that ONOE will reduce the autonomy of the State and will change the federal compact potentially. According to the clauses of the 129th Amendment as described by LiveLaw authors Jain & Garg (2025), Articles 83 and 172 (fixing five-year terms) would be overridden and even elections could be held without formal dissolution of the Lok Sabha<sup>7</sup>. They observe that the wide-ranging “notwithstanding” powers given to the Election Commission (ECI) (to issue a call to elections without dissolution, and to alter electoral procedures) pose a “grave danger to the principles of electoral democracy and separation of powers.

A PRS Legislative Brief points out that the Bill gives the ECI the discretion to postpone state elections on its advice, and does not impose the procedural safeguards that Article 356 currently has. Article 356 now permits President Rule (and suspension) in only certain situations (e.g. breakdown of constitutional machinery) and requires Parliamentary sanction. Such obstacles are absent in the Bill, which, in addition, does not provide a time limit on postponement, which can leave a state without an Assembly indefinitely. These deficits lead to rule-of-law concerns over open-ended executive discretion.<sup>8</sup>

<sup>3</sup> Ibid.

<sup>4</sup> S.R. Bommai v. Union of India, (1994). (1994) 3 SCC 1; AIR 1994 SC 1918. Supreme Court of India.

<sup>5</sup> Prakash, B. (2024). *One Nation One Election: A comparative analysis from voter behavior to political polarization* [Research paper]. SSRN. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=5007991](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5007991)

<sup>6</sup> Prakash, B. (2024). *One Nation One Election: A comparative analysis from voter behavior to political polarization*. SSRN. [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=5007991](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5007991)

<sup>7</sup> PRS Legislative Research. (2025, June 5). *Legislative brief: Simultaneous Elections Bills* [PDF].

[https://prsindia.org/files/bills\\_acts/bills\\_parliament/2024/Legislative\\_Brief\\_Simultaneous\\_Election\\_Bills.pdf](https://prsindia.org/files/bills_acts/bills_parliament/2024/Legislative_Brief_Simultaneous_Election_Bills.pdf)

<sup>8</sup> Ibid.

On the other hand, the literature on other federations indicates that synchronized elections may be associated with stability as well as risks. An empirical analysis of U.S. elections observes that consolidated national and state elections historically have been more expensive (U.S. federal elections in 2020 cost 14.4 billion dollars) and raises the question whether cost savings are worth any adverse impact on representation<sup>9</sup>. It warns that combined elections can increase partisan national issues at the expense of local issues. Overall, the literature highlights the trade-offs: ONOE is likely to deliver financial and administrative efficiency, but potentially at the expense of the spirit of representative democracy and federal balance.

## Introduction

One Nation, One Election (ONOE) proposal envisages a major change in the Indian electoral system by aligning the Lok Sabha and all State Legislative Assembly elections. This concept is based on the early electoral experiences of India where simultaneous elections were the order of the day.<sup>10</sup> This synchrony was however broken in 1967, largely because of the untimely dissolution of some state assemblies, which over time resulted in the present-day staggered elections in the nation.

Although this disjointed electoral calendar is indicative of India as a federal country and a vibrant democracy, there have been recurrent questions about the economic cost, policy paralysis and governance lags caused by the high frequency of elections. Elections are being conducted almost annually in various states and the administrative machinery, security agencies, and Election Commission have to be in a state of constant preparedness.<sup>11</sup> The supporters of ONOE claim that harmonization of elections would greatly decrease financial and logistical pressure, improve policy consistency, and avoid the situation when governments are in a constant campaign mode. Economically, the repeated expenses of campaigning, mobilization of staff and interruption of government services are a burden to the state. A harmonized election cycle would facilitate a more effective governance environment where governments would be able to plan and develop over the long-term instead of making short-term electoral calculations. Proponents also state that it can raise voter awareness and participation as it will concentrate political activity.<sup>12</sup>

Nevertheless, the proposal does not lack significant constitutional and political issues. The critics argue that simultaneous elections can undermine state autonomy, promote national political discourses at the expense of regional interests, and weaken the identity of regional parties.<sup>13</sup> This may cause a lack of balance in democratic representation because voters may mix national and local problems when they vote. Moreover, more practical questions like mid-term dissolutions, no-confidence motions and rearrangement of electoral schedules give rise to complicated legal and constitutional issues that would require a lot of reforms including amendment of Articles 83 and 172 of the Constitution and the provisions of the Representation of the People Act, 1951.

The controversy over ONOE is thus not just about administrative efficiency, it is about the very core of the federal spirit of India, its democratic pluralism and its representative system.<sup>14</sup> This study aims at critically analyzing the ONOE proposal by looking at its historical background, constitutional implication, economic justification, and comparative aspect. It seeks to determine whether such a reform is a move towards modernization of electoral process in India, or whether it is a threat to pluralistic and decentralized political structure of India.

## 1. Doctrinal Analysis

### 1.1 Constitutional Framework and Amendment Procedure

The Bill would amend the Articles 83 and 172 (fixing legislative terms) and introduce Article 82A to align the election cycles. Amendments that alter federal relations or State List entries must not only pass a special (two-thirds) majority in Parliament, but also be ratified by at least half the States. The ONOE Bill would amend the conditions of State Legislatures (an entry on the State List, "Elections to the State Legislatures; rights of persons to vote and be elected") and could transform the legislative relationship between Union and States. According to Singhvi and others, reduction of state terms has a direct impact on state autonomies and elections which cannot be done without the consent of the states.<sup>15</sup> Most scholars believe that state ratification is constitutionally mandated. In fact, Article 368(2) clearly requires state approval of amendments that change the federal structure or the items in the Seventh Schedule. Without the state ratification, the amendment may be questioned on grounds of procedural impropriety and contravention of the requirements of Article 368.<sup>16</sup>

Suppose the proper procedure has been followed, then substance must be judged. Art. 83(2), 172(1) now provide five-year terms: "The House of the People, unless sooner dissolved, shall continue for five years...and the expiration of the said period of five years shall operate as a dissolution of the

<sup>9</sup>Durani, T. (2025). *One Nation, One Election: Electoral synchronicity, federal autonomy, and the basic structure*. JuWiss Blog. Retrieved August 5, 2025, from <https://www.juwiss.de/6-2025/>

<sup>10</sup>Election Commission of India. (2018). *Simultaneous elections: Constitutional and legal perspectives*.

<sup>11</sup>Khare, S. (2022). One nation one election in India. *International Journal of Law Management and Humanities*, 5(3), 1309–1315.

<sup>12</sup>Kovind, R. N. (2024, December 17). *One Nation One Election will galvanise process and lead to economic growth*. Deccan Herald.

<sup>13</sup>Quraishi, S. Y. (2019). *The great march of democracy: Seven decades of India's elections* (p. 220). Penguin Books.

<sup>14</sup>Spandana, R. S. (2024, December 26). *Supreme Court Review 2024: Balancing the interests of states in a federal structure*. Supreme Court Observer.

<sup>15</sup>Quraishi, S. Y. (2019). *The great march of democracy: Seven decades of India's elections* (p. 220). Penguin Books.

<sup>16</sup>Kumar, V. (2023). One nation one election: Indian perspective. *International Journal of Political Science and Governance*, 5(1), 165–168.

House”; and, “Every Legislative Assembly of every State, unless sooner dissolved, shall continue for five years...”<sup>17</sup> The Bill would further provide that all assemblies formed after an appointed date will cease to exist at the expiry of the term of the Lok Sabha, thus cutting short their otherwise five-year life. This would imply that assemblies and MPs elected at different times would not have equal terms as the framers had proclaimed the uniform five-year term unless dissolved.

In addition, Article 85 (in the case of Parliament) and Article 173 (in the case of Assemblies) stipulate that new elections must be held within six months of a dissolution. The Bill allows elections to be conducted even without dissolution, in tandem with the Lok Sabha (through the ECI by its power of notwithstanding). This supersedes the Representation of the People Act, 1951, which provides that elections should be held only on expiry or dissolution. In constitutionalizing elections beyond the usual dissolution timetable,<sup>18</sup> Parliament might unwittingly grant to the executive (via the President/ECI) an unparalleled ability to set or postpone elections beyond existing statutory and constitutional provisions (Section 14(1) of RPA, six-month rules, etc.).

### 1.2 Federalism and State Autonomy

The dual polity is at the heart of India federalism: a Union of States (Art. 1) in which legislative rights have been constitutionally vested in states. The Supreme Court in *S.R. Bommai* stated that democracy and federalism are the fundamental characteristics of our Constitution and are a part of the basic structure. Federalism means that the State Legislatures are not administrative adjuncts of the Centre; rather, each State has control over matters in the State List, its own elections (Entry 7) and governance. In unilaterally synchronizing state elections with the national schedule, ONOE arguably infringes on the jurisdiction of the states. It determines state legislative terms on the timetable of Parliament, not on the democratic decision of each State.<sup>19</sup>

This concentration is alarming. The Centre has been given extensive powers (e.g. creation of new states, issuance of directions) in India, which is a quasi-federal system, but the courts have time and again emphasised the need to maintain state powers, otherwise the Constitution would be defaced. To limit the manner and time in which a State Legislature can legislate (by shortening its term so that it can be synchronized with the national legislature) is to cut at the very root of the meaning of federal structure as interpreted by the courts. It is important to note that critics argue that ONOE “trims the independence of the states” and “has a direct impact on state elections...cannot be implemented without state approval”. This implies that ONOE may be considered as an infringement of federalism, which may attract basic structure review. In case of litigation, the *Bommai* dicta may be used by the courts: an interpretation of Article 368 that weakens federalism should be opposed.

Besides, ONOE can change the balance of representation in Parliament itself. Article 368 also requires state ratification of any changes in state representation in Parliament. Coordinating elections does not necessarily alter numbers, but the realignment of state election cycles may have an impact on the extent to which national politics inappropriately dominates state politics (more below). So the proposal cuts across both formal and substantive federalism<sup>20</sup>.

### 1.3 Representative Democracy and Basic Structure

India has a constitutional ethos of representative democracy. The *Kesavananda Bharati* Court confirmed that democracy including free and fair elections is a part of the basic structure<sup>21</sup>. The *Indira Gandhi* case expressly declared that the separation of powers and free and fair elections are part of the essential features of the Constitution which cannot be abrogated by Parliament. Any amendment that weakens the electoral process or partisan competition is questionable under this doctrine.

The changes proposed by ONOE are subject to a number of concerns. It, first, requires elections beyond the ordinary causes of the dissolution of the House. This may allow a government to lengthen its term or to schedule elections in a way that strategically decouples the current mandate of the electorate and the governing term. By permitting elections even without dissolution, as Jain & Garg contend, the ruling party is able to schedule elections strategically, but not out of constitutional compulsion, thus making elections mere tactical instruments rather than instruments of accountability. This is in conflict with the concept of periodic elections as a check of power. The Representation of the People Act would be overridden and this may create loopholes that can be manipulated. Unless the electorate can be assured of a definite maximum term of office of governments, their basic right of voting is undermined in substance.

Second, ONOE would chop off most of the democratic words at random. A five year elected state legislature could be dissolved in the second year just to coincide with Lok Sabha elections. According to scholars, this is tantamount to diluting the value of the vote of the voter since the government elected on a five-year mandate is not allowed to complete its term.<sup>22</sup> The truncation compromises the expectation of the voters that the government of

<sup>17</sup> [onstitutionofindia.net](https://www.constitutionofindia.net/articles/article-172-duration-of-state-legislatures/). (n.d.). *Article 172: Duration of state legislatures*. <https://www.constitutionofindia.net/articles/article-172-duration-of-state-legislatures/>

<sup>18</sup> PRS Legislative Research. (2025, June 5). *Legislative brief: Simultaneous Election Bills* [PDF]. PRS Legislative Research. [https://prsindia.org/files/bills\\_acts/bills\\_parliament/2024/Legislative\\_Brief\\_Simultaneous\\_Election\\_Bills.pdf](https://prsindia.org/files/bills_acts/bills_parliament/2024/Legislative_Brief_Simultaneous_Election_Bills.pdf)

<sup>19</sup> Tillin, L. (n.d.). *Indian federalism* (pp. 154–161). OUP India.

<sup>20</sup> Chakrabarty, B. (2018). *Indian politics and society since independence: Events, processes and ideology* (pp. 78–89). Taylor & Francis.

<sup>21</sup> *Indira Nehru Gandhi v. Raj Narain*, (1975). AIR 1975 SC 2299; (1975) Supp SCC 1.

<sup>22</sup> Khare, S. (2022). One nation one election in India. *International Journal of Law Management and Humanities (IJLMH)*, 5(3), 1309–1315.

their choice is able to finish its term, and this compromises accountability. According to the democratic theory, this unjustified interference with the terms of the election is an insult to the will of the electorate. It changes the rules of the game in the middle of the game, which is against fair play in representation (a fundamental democratic principle).

Third, voters may be overwhelmed by simultaneous elections. Empirical research indicates that in the case of coincidence between national and local polls, voter attention can be directed mainly to national concerns or party identification at the expense of local candidates and local issues.<sup>23</sup> Durani observes that a study has discovered that synchronized polls complicate voting and encourage voters to vote based on party labels as opposed to local issues. The local representation would in effect be diluted by coattail effects. This possible erosion of the constituency level contest erodes the representative nature of democracy. Although it is not a formal constitutional bar, it shows that ONOE may undermine the substantive fairness of elections, which may be inconsistent with the spirit of free and fair elections in the basic structure sense<sup>24</sup>.

#### 1.4 Separation of Powers and Oversight

The Indian Constitution does not strictly divide powers, but it incorporates checks between legislature, executive and judiciary. Separation of powers was highlighted in the Indira case as a part of the basic structure. ONOE puts in powerful executive-friendly provisions. It is noteworthy that Clause 3 of Article 82A grants the Election Commission, a constitutional body but in effect part of the executive, the power to fix elections, “Notwithstanding anything in the Constitution”. It even has a *mutatis mutandis* phrase that allows the ECI to alter electoral procedures through executive instruction, completely circumventing the legislative branch. This broad discretion given to the ECI poses separation issues: the legislature may be deprived of its law-making powers in the field of election rules and the judiciary may be left with little to do in scrutinizing these “instructions.”

Moreover, the President (on ECI advice) is allowed to delay state elections (Clause 5) without any time-bound restrictions. In effect, the executive acquires unlimited authority over the legislative terms. This crosses conventional lines: state legislatures are usually independent in deciding their own term, not at the mercy of the executive.<sup>25</sup> Putting such executive levers into the Constitution appears to be an aberration of checks. When questioned, this can be interpreted by courts as allowing the executive to emasculate federal features in the name of timing of elections. Although the Supreme Court has given wide executive authority during emergencies, it has demanded that interpretation should be used to save and not destroy democracy and federalism. The executive tools of ONOE would probably face a stern test of the doctrine of illegality or proportionality: do they extend beyond the constitutional limits? With no clear legislative outlines, there is a danger that ONOE provides arbitrariness instead of reasoned law, which would compromise rule-of-law dimensions of separation.

## 2. Comparative Constitutional Review: United States

The United States provides an antidote to ONOE. The U.S. Constitution provides a federal system in which states enjoy a lot of autonomy in the process of holding elections. Article I, Section 4 (the Elections Clause) gives each state legislature the power to determine the “Times, Places and Manner of holding Elections for Senators and Representatives,” except that Congress may change the rules. Article II regulates presidential elections (electoral college) after every four years. More importantly, the federal Constitution establishes the term of legislators: House members 2 years, Senators 6 years (in three classes), and President 4 years (limited by amendment to two terms). States staff their own government offices at their own schedules.

Most U.S. states conduct many of their elections together with federal elections in practice, but this is not required by the Constitution. As an example, gubernatorial elections will be held in 36 states (and territories) on November 3, 2026, the same day as the U.S. midterm Congressional elections<sup>26</sup>. New Hampshire and Vermont are the only states that still have 2-year terms of governor (their governors were last elected in 2024); the rest have 4-year governors. The length of legislative terms is state-specific (usually lower house 2 years, upper house 4), and is established by state constitutions. The idea of harmonizing election calendars at the federal level does not exist: some states deliberately do not follow the federal cycle in order to concentrate on local problems.

This is a decentralized system of the U.S. that is supported by jurisprudence that places a premium on state control over the regulation of elections. The Supreme Court has upheld state power under the Elections Clause (though has restricted it under Equal Protection, Voting Rights, etc.), but has not considered any federal preemption to harmonize all elections across the country. The U.S. has never had one election day other than fixed federal dates. Quite the contrary, federalism is honored: states test various models (e.g. “off-cycle” municipal elections) and even modify election law (e.g. by legislation). As an example, *Smiley v. Holm* (1932) affirmed that the governor of a state has to sign the congressional districting laws, with the meaning of legislature being the entire legislative process. The controversial theory of the independent state legislature (recently resurrected) questions the scope of untrammelled state legislative authority in federal elections, but it reminds us that the national Constitution leaves much to the states.

<sup>23</sup>Durani, T. (2025, February). *One Nation, One Election: Electoral synchronicity, federal autonomy, and the basic structure*. *JuWiss Blog*. <https://www.juwiss.de/6-2025/>

<sup>24</sup>*Indira Nehru Gandhi v. Raj Narain*, (1975). AIR 1975 SC 2299; (1975) Supp SCC 1.

<sup>25</sup>(Khare, 2022)

<sup>26</sup>Wikipedia contributors. (n.d.). *2026 United States gubernatorial elections*. *Wikipedia*. [https://en.wikipedia.org/wiki/2026\\_United\\_States\\_gubernatorial\\_elections](https://en.wikipedia.org/wiki/2026_United_States_gubernatorial_elections)

Economically, the U.S. is not immune to election expenses, either: the 2020 federal cycle was a record-high (\$14.4 billion). Other analysts, such as Hartney & Hayes, observe that policymakers consider the benefits of consolidated election calendars, including cost savings, against the possible effects on the quality of political representation<sup>27</sup>. But there are no sweeping constitutional changes to merge election cycles, possibly due to the emphasis on state flexibility and local democracy. In fact, research indicates that off-cycle (separate) elections can be useful to local representation; when there are too many offices on the same ballot, local voter preferences on local matters can be diluted<sup>28</sup>.

U.S. criminal law analogies may be campaign finance laws or laws against election fraud, but the structural analogy is that election scheduling is not subject to criminal law (except in an emergency). The U.S. has emergency provisions (e.g. a state of war) that might change election dates only in extreme circumstances, but otherwise elections are served to term. Notably, the Congress has established national election days: federal law establishes federal general elections as the “Tuesday after the first Monday in November” in every even-numbered year. States just statutorily roll state elections into that schedule. In case a state wanted to delay a federal election, it would be against the federal law and potentially constitutional demands. Likewise, the ONOE mechanism to depart the prescribed election law opens the door to possible conflicts with the Representation of People Act and the Article 85/173 requirements, which is not the case in the U.S. practice due to the explicit or implicit fixation of the election date by the Constitution and the impossibility of its unilateral change.

In short, the U.S. is an example of a federative system of elections: a decentralized, staggered-term system that leaves state discretion and local matters intact, and a regular cycle of federal offices by constitutional design. This is opposed to the centralizing thrust of ONOE. The U.S. experience indicates that the coordination of elections is not constitutionally required or a political priority and that issues of voter engagement and representation influence election timing decisions.

### 3. Critical Discussion

The ONOE proposal opposes constitutionalism to efficiency. On the brighter side, its proponents mention huge savings and policy stability. Studies put the savings at hundreds of billions and better continuity of governance. In fact, simultaneous polls may imply that the government will not be in a permanent campaign mode and officials will be able to concentrate on long-term programs. These practical benefits are not imaginary, particularly in a big democracy where logistics are overwhelming. But our examination gives grave constitutional misgivings.

#### 3.1 Federalism vs Uniformity:

ONOE demands that states relinquish their longstanding control over their election cycles. This is a traditional federalism tug. The Constitution foresees a Union of States, each being a participatory unit in national polity. State elections are a local affair; a national calendar is likely to be a nationalised version of regional interests. Federalism requires that the powers of the states be preserved as the courts have stressed. ONOE explicitly “limits the authority” of state governments by reducing their terms without any constitutional crisis. The critics say this would dilute federal character and therefore be unconstitutional under the basic structure (because federalism is a basic feature).<sup>29</sup>

#### 3.2 Democracy vs Expediency:

Representative democracy under the Constitution is not only voting, but the expectation by the voters that they will be represented throughout the term. ONOE arguably violates the principle of mandate by regularly terminating the term of states prematurely.<sup>30</sup> The Supreme Court has cautioned that elections are not like a ticking clock, but a faith of the people in a tenure. When governments can be terminated prematurely, at the artificial will of the executive, accountability is undermined: an opposition can no longer argue that it would have made up lost time, and incumbents can excuse themselves by scheduling to their own benefit. The danger is that elections will be strategic instruments, as it has been observed, and not entrenched institutions of democracy.

#### 3.3 Separation of Powers Issues:

The transfer of scheduling authority to the executive by ONOE and ECI is an intrusion on the prerogative of the legislature. Amendments under Article 368 generally need to have specific legislative processes and limits; the inclusion of vague notwithstanding clauses and unlimited power to postpone are invitations to arbitrary rule. In the event that the ECI and the President could postpone state polls indefinitely (with subjective claims of readiness), then judicial review may be the only check but courts will have to contend with political questions as to what constitutes a reasonable delay. This may

<sup>27</sup>Devi, S., Anand, S. A., Lal, B., Chauhan, S., Yadav, A., & Kashyap, S. (2024). One nation, one election in federal democracies: A comparative study of global experiences. *Educational Administration: Theory and Practice*, 30(5), 10298–10301. <https://doi.org/10.53555/kuey.v30i5.4265>

<sup>28</sup> Ibid.

<sup>29</sup>Spandana, R. S. (2024, December 26). *Supreme Court Review 2024: Balancing the interests of states in a federal structure*. *Supreme Court Observer*. <https://www.scobserver.in/journal/supreme-court-review-2024-balancing-the-interests-of-states-in-a-federal-structure/>

<sup>30</sup>Pal, S. (2020, June 8). *One nation one election: Why? and why not?* Latest Laws. <https://www.latestlaws.com/articles/one-nation-one-election-why-and-why-not>



increase branch tensions<sup>31</sup>. Effectively, ONOE can be interpreted to permit one arm (the executive/ECI) to amend electoral rules without new legislative approval, an action that could contravene the separation-of-powers principle as set out in *Indira*.

### 3.4 Comparative Insight:

The U.S. model demonstrates that federal democracies can handle repeated elections without constitutionalizing simultaneity. Although it is more expensive, the trade-off is decentralization. The American legal tradition is focused on the integrity of elections and equality of voters, and the timing decisions are left to the state level, mostly to the democratically-elected state institutions. This is unlike ONOE which uses executive fiat in scheduling. It is interesting to note that no American court would allow the federal government to limit the term of state legislatures or to mandate a uniform election day as the state sovereignty is highly regarded. The American practices therefore underscore the importance of flexible, staggered terms in a federation which India must consider.<sup>32</sup>

### 3.5 Implications of Basic Structure:

In the end, ONOE rubs shoulders with basic features: federalism (*Bommai*) and free elections (*Indira*). It can also bring up equality concerns: should everyone who votes be required to select national and state representatives at the same time, then rural and local concerns may be sidelined, which impacts the substantive meaning of free and fair elections. The spirit of the Constitution requires that amendments do not destroy the Constitution. In this case, ONOE is dangerously close to doing just that by changing the democratic calendar without pressing reason. The judiciary may construe the amendment as being against the spirit of Articles 14, 21 (applied to elections) and the federal scheme and strike it down as *ultra vires* Parliament<sup>33</sup>.

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## Policy Suggestions

- **Gradual Approach:** Rather than a sudden constitutional reform, think of gradual reforms. As an example, consider the possibility of extending some fixed-term offices, or voluntary harmonisation of some state and national elections by legislation instead of wholesale amendment.
- **Defending Autonomy:** State governments must be fully involved in the design of any synchronization scheme. Federal checks could be maintained by legal protection (possibly a constitutional clause that the states must consent to changes in terms).
- **Legislative Oversight:** In case of changes, restrict executive discretion. As an example, impose strict conditions and time-limits on postponement of elections. Keep parliamentary consent conditions (analogous to Article 356) so that the delays cannot be unlimited or one-sided.
- **Judicial Review:** It should be made clear that any ECI directions under the new Article 82A should be subject to judicial review and the judiciary should continue to play the role of guarding against arbitrary decisions.
- **Fixed Calendar Framework:** In the event of simultaneous elections, adopt a fixed electoral cycle by constitutional provision (e.g. a single five year cycle of all legislatures), with a minimum of ad hoc dissolutions. This would help to resolve the issue of accountability by ensuring that the system is predictable and consensual, as opposed to being subject to the changing political calculations<sup>34</sup>.
- **Improving Voter Choice:** Add protection (in the form of separate ballots or constituency delimitation reform) so that local matters and local candidates are still important when polls overlap. Think of longer campaign seasons and public education to enable voters to digest multi-tier ballots.
- **Alternative Cost Savings:** Find alternative cost savings that do not involve merger e.g. common electoral rolls, shared security arrangements and drip-feeding of election administration improvements. Comparative evidence indicates that cost savings are not enough to justify constitutional risks.
- In short, policymaking on ONOE should be strictly balanced between efficiency and constitutional commitments. Any reform must be in support of, not against, the constitutional architecture. The present legal commentary indicates that ONOE, as it is written, is too centralist in its orientation and presents actual threats to the democratic federal system in India.

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<sup>31</sup>**Hindustan Times.** (2024, December 21). *39-member JPC to examine One Nation One Election bills formed*. Hindustan Times. <https://www.hindustantimes.com/india-news/39member-jpc-to-examine-onop-bills-formed-101734721058736.html>

<sup>32</sup>**Rajagukguk, K. J., Aripin, S., & Wahyudi, H.** (2021). *Simultaneous general election: It is fair for democracy in Indonesia*. *Jurnal Ilmu Pemerintahan: Kajian Ilmu Pemerintahan dan Politik Daerah*, 6(1), 56–64. <https://doi.org/10.24905/jip.6.1.2021.56-64>

<sup>33</sup>**Deccan Herald.** (2024, December 17). *One Nation One Election will galvanise process and lead to economic growth, says Kovind*. Deccan Herald. <https://www.deccanherald.com/india/one-nation-one-election-will-galvanise-process-and-lead-to-economic-growth-says-kovind-3321339>

<sup>34</sup>**PRS Legislative Research.** (2025, June 5). *Legislative brief: Simultaneous Election Bills* [PDF]. PRS Legislative Research. [https://prsindia.org/files/bills\\_acts/bills\\_parliament/2024/Legislative\\_Brief\\_Simultaneous\\_Election\\_Bills.pdf](https://prsindia.org/files/bills_acts/bills_parliament/2024/Legislative_Brief_Simultaneous_Election_Bills.pdf)

## Conclusion

The proposal of India to have one nation, one election is an efficiency-seeking proposal that raises deep constitutional issues. The 129th Amendment Bill would effectively re-engineer the electoral system, by compelling state election cycles to be synchronized with the Lok Sabha. It has to pass great legal obstacles: a supermajority and probably state ratification under Article 368, due to its effects on State Legislatures. The amendment, even when enacted, seems to be against the established constitutional values. It waters down state autonomy, subverts voter mandates, and grants to the executive and Election Commission extraordinary powers. Such changes are subject to valid concerns under the Basic Structure Doctrine: has the democracy and federalism been preserved? In comparison, the U.S. example demonstrates that fixed, staggered election cycles are more expensive but maintain federalism and local representation. In India where the Supreme Court has strongly guarded free elections and federalism as sacrosanct, ONOE appears to be on shaky legal footing. Any step towards coordinated polls should thus be treated with utmost caution so as not to destroy the constitutional balance.

One Nation, One Election (ONOE) is a concept that is designed to reduce the cost of elections, increase the efficiency of governance, and administrative coordination. But this vision should be weighed against constitutional limits, federalism ideals, and the necessity to protect regional representation. In that regard, a phased synchronization model becomes a viable option- allowing elections to be synchronised gradually across regions over a period of years, instead of imposing a single national polling day. The adoption of ONOE needs constitutional changes, especially in Articles 83 and 172 of the Indian Constitution, which define the conditions of the Lok Sabha and State Legislative Assemblies. The amendments should include that synchronization does not violate the current democratic system. Likewise, the Representation of the People Act, 1951 must be amended to cover extraordinary situations such as premature dissolutions, no-confidence motions and by-elections. As an example, in case of early dissolution of a state assembly, new elections could be called to complete the original term instead of being arbitrarily synchronized with the national electoral cycle.

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Such reforms are made possible by technological innovations. Electoral integrity and efficiency can be enhanced by using blockchain to secure electoral records and artificial intelligence to monitor in real-time and plan logistics. Nonetheless, this kind of technological integration should be supported by a robust voter awareness and education campaign to facilitate the understanding and trust of the people. The effective implementation of ONOE also depends on the attainment of the wide political and societal consensus. The concerns of centralization of power can be alleviated by involving the state governments, regional parties and civil society in a structured dialogue. The international practice, including the synchronized election system in South Africa and the federal electoral system in Germany, can be used as a source of valuable information that can guide India without losing its constitutional identity.

Also, ONOE ought to include periodic impact assessment to track its effects on voter turnout, effectiveness of governance, and integrity of democracy. Such a flexible, inclusive model that would allow accommodating the federal diversity of India and would solve the problem of staggered elections is necessary to make sure that ONOE does not undermine but supports democratic values<sup>36</sup>. To make this a practical measure, elections might be grouped geographically or by subject, and two years between groups. Such a staggered strategy would not only maintain the salience of regional issues but also ensure that there is enough time to deal with the administrative and logistical complexities. It is respectful of the federal system in that it gives states the freedom to focus on local issues as they pursue electoral reform objectives.

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<sup>35</sup>Sharma, K. (2021). Blockchain technology and Indian elections: The future of democracy. *International Journal of Technology and Politics*, 15, 23–25.



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