

Law panel readies report on simultaneous polls

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Why in news?

- As per various media reports, the 22nd Law Commission is set to recommend the addition of a new chapter on simultaneous polls in the Constitution.
 - The 22nd Law Commission is headed by former Karnataka High Court Chief Justice Ritu Raj Awasthi.
 - The commission's term has been extended until August 31, 2024.

Law Commission in India

- The Law Commission of India is a non-statutory body constituted by the Union government.
- It is a commission established to ensure that the laws formed are just and fair which work towards its proper implementation.
- It can be referred to as an ad hoc body, which is constituted for the fulfilment of a particular purpose.
 - Basically, it works as an advisory body to the Ministry of Law and Justice.
- However, it is not defined under the Indian Constitution. It is constituted as part of Article 39A.
 - Article 39A guarantees that no citizen is deprived of the opportunity to get justice due to a lack of resources or other impediments.

Simultaneous elections in India: Meaning

- The concept of “One Nation, One Election” envisions a system in which all state and Lok Sabha elections must be held simultaneously.
- This will entail restructuring the Indian election cycle so that elections to the states and the centre coincide.
- This would imply that voters will vote for members of the LS and state assemblies on the same day and at the same time (or in a phased manner as the case may be).

History of Elections in India

- Era of simultaneous elections
 - The first general elections of free India held simultaneously to the Lok Sabha and the Legislative Assemblies of the States in 1951.
 - The next three cycles of elections also witnessed concurrent Lok Sabha and Legislative Assembly elections barring a few stray cases like:
 - Kerala where a mid-term election was held in 1960 on the pre-mature dissolution of the Assembly, and
 - in Nagaland and Pondicherry where the Assembly was created only after the 1962 general elections.
 - The last occasion when we had near-simultaneous elections was in 1967.
- Beginning of the end of simultaneous elections
 - The fourth Lok Sabha constituted in 1967 was dissolved prematurely in 1971. This was the beginning of the end of simultaneous elections.
 - Extension of the term of Lok Sabha during the National Emergency declared in 1975 and the dissolution of Assemblies of some States after the 1977 Lok Sabha election further disturbed the cycle of concurrent elections.
- Current status
 - After the two pre-mature dissolutions of the Lok Sabha in 1998 and 1999, only four State Assemblies have been going to polls along with the Lok Sabha elections in the last two decades.
 - We now have at least two rounds of Assembly general elections every year.

News Summary: Law panel readies report on simultaneous polls

- The 22nd Law Commission is set to recommend the addition of a new chapter on simultaneous polls in the Constitution.
 - The law panel has not submitted its report to the government.
 - However, it has made detailed presentations of its likely recommendations before the high-level committee.

Key highlights

- Insertion of a new chapter
 - Currently, Part XV of the Constitution deals with elections. It prescribes the role of the Election Commission and for elections to be based on adult suffrage among other aspects.
 - The Commission is likely to recommend insertion of a new chapter, Part XVA, that would make provisions for simultaneous polls.
- Recommendations will be for 2029 elections
 - With 2024 elections round the corner, the recommendations will now be for 2029.
 - The Commission's report is likely to suggest synchronising assembly elections in two stages in the next five years before all states can go to polls simultaneously with the next Lok Sabha elections in 2029.
 - Elections for states will have to be held collectively in two election cycles over the next five years.
 - The term of some may have to be extended while it may have to be curtailed for others through the Constitutional amendment.
 - Then 2029 can be the third election cycle where the Centre, all states, municipal and panchayat elections can be held together.
- Tackling situations where the mandate results in a hung assembly or when a government falls midway
 - The Law Commission's prescription is to first attempt setting up an all-party unity government if a government falls during its five-year tenure.
 - If that is not possible, then the alternative would be holding elections only for the term remaining before another cycle of simultaneous polls can be held.
 - Contesting elections only to form a government for a short term could be a disincentive for political parties to bring down a government.
 - As per the commission, a second Constitutional amendment would deal with sustainability of simultaneous polls.
- Common voter list
 - The third Constitutional amendment to be recommended by the law panel would specifically deal with a common voter list.
 - Currently in many states, the voter list for the panchayat and municipal elections is different from the one used for Parliament and assembly elections.
 - The State Election Commissions (SECs) supervise municipal and panchayat elections.
 - On the other hand, the Election Commission conducts polls to the offices of the President and Vice President, and to Parliament, state assemblies and legislative councils.

Q1 What is an electoral roll?

An electoral roll is a list of people who are eligible to vote in a specific jurisdiction. It's usually broken down by electoral districts and is made to help election officials at polling places.

Q2) What is Article 39A of Indian Constitution?

Article 39A talks about ensuring equal justice and free legal aid. It says: The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Source: [Interim unity govt, common voter list: Law panel readies report on simultaneous polls](#) | [India Today](#) | [Indian Express](#) | [iPleaders](#)

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