



EDITORIAL: THE HINDU

GENERAL STUDIES 2: POLITY

DATE: 16.12.2024

TOPIC: SALIENT FEATURES OF THE REPRESENTATION OF PEOPLE'S ACT.

LET'S TALK ABOUT 'ONE CANDIDATE, MULTIPLE CONSTITUENCIES'

Introduction to One Candidate, Multiple Constituencies (OCMC)

- The practice of One Candidate, Multiple Constituencies (OCMC) is rooted in India's electoral framework, where candidates are allowed to contest from more than one constituency in an election. While the Constitution of India mandates regular elections every five years, the Representation of the People Act, 1951, and the Election Commission of India (ECI) regulate the conduct of these elections.
- Historically, candidates could contest from multiple constituencies without restriction, but this led to frequent by-elections when seats were vacated. To address this, the Representation of the People Act was amended in 1996 to restrict candidates to a maximum of two constituencies. Despite this limitation, the practice continues, raising concerns about its impact on electoral integrity and democratic accountability.

Problems Arising from OCMC

1. Increased Financial Costs

- Conducting by-elections to fill seats vacated by winning candidates imposes a significant financial burden on taxpayers. The cost of general elections has risen substantially, from ₹3,870 crore in 2014 to ₹6,931 crore in 2024 (adjusted for inflation).
- By-elections necessitated by OCMC can add substantial costs—for example, if 10 candidates vacate their seats, the expense can be as high as ₹130 crore. This is further exacerbated by political parties' election-related expenditures, estimated at ₹1,35,000 crore in 2024, often funded by unaccounted money, undermining financial transparency.

2. Undermining Electoral Fairness

- By-elections often favour ruling parties, as they leverage administrative resources and patronage networks, creating an unequal electoral landscape. This disrupts the democratic balance, weakens opposition parties, and fosters an environment where power consolidation becomes easier for the ruling party.

3. Additional Financial Strain on Candidates and Parties

- Defeated candidates and their parties are often forced to reinvest significant resources in by-elections, further stretching their finances. This disproportionate financial strain impacts smaller parties and undermines the principle of fair competition.



4. Erosion of Democratic Values

- The practice of OCMC prioritizes the political calculations of leaders over public welfare. It serves as a safety net for candidates rather than addressing the electorate's needs. Leader-centric and family-dominated political parties exploit this system, weakening grassroots democracy and undermining the principle of accountability to voters.

5. Voter Dissatisfaction and Confusion

- The practice of vacating a seat after elections often leaves voters feeling betrayed, as their choice of representation is disregarded. For instance, in Wayanad, Kerala, voter turnout dropped significantly during the by-election, from 72.92% in the general election to 64.24%. Such practices dilute public trust in the electoral process and may even infringe upon the spirit of Article 19(1)(a) of the Constitution, which guarantees the right to freedom of expression, including voting.

Merits of OCMC

While OCMC has its drawbacks, it also offers certain benefits for candidates and political parties:

- **Strategic Advantage in Tough Contests:** OCMC acts as a safety net, allowing candidates to mitigate risks in competitive constituencies.
- **Leadership Continuity:** This practice ensures continuity of leadership in leader-centric parties. For instance, Mamata Banerjee in 2021 and Pushkar Singh Dhami in 2022 utilized OCMC to secure their positions despite initial defeats.

Global Perspectives on OCMC

Pakistan

- In Pakistan, candidates can contest from an unlimited number of constituencies but are required to vacate all but one after winning. For example, a former Prime Minister contested five seats in 2018.

Bangladesh

- Previously, candidates in Bangladesh could contest up to five constituencies. However, the limit was reduced to three in 2008 to streamline the electoral process.

United Kingdom

- The UK abolished OCMC in 1983 to enhance electoral accountability and ensure direct representation.

Other European Nations

- Many European democracies have eliminated OCMC, emphasizing the need for clarity in representation and reducing electoral complexities.



Suggested Reforms for OCMC

1. Prohibiting OCMC

- Amending Section 33(7) of the Representation of the People Act, 1951, to ban candidates from contesting multiple constituencies can address the root cause of the problem. This reform has been advocated by the ECI (2004) and the Law Commission of India (2015).

2. Recovering Election Costs

- To discourage frivolous candidacies, candidates vacating a seat after winning could be required to bear the full cost of the resulting by-election. This proposal, recommended by the ECI in 2004, would ensure greater accountability.

3. Delaying By-Elections

- Amending Section 151A of the Representation of the People Act, 1951, to delay by-elections for up to one year could allow voters to make informed decisions and reduce the frequency of electoral disruptions.

Conclusion

- The practice of OCMC poses significant challenges, including financial burdens, voter dissatisfaction, and a weakening of democratic principles. While it offers strategic benefits to candidates and political parties, these advantages come at the cost of electoral integrity and public trust.
- Implementing reforms such as banning OCMC, recovering election costs, and delaying by-elections would ensure greater accountability and strengthen the democratic fabric of India. Adopting the principle of “one candidate, one constituency” would align with the ideals of “one person, one vote,” fostering transparency and fairness in the electoral process.

Source: <https://www.thehindu.com/opinion/lead/lets-talk-about-one-candidate-multiple-constituencies/article68989069.ece>