

LAW COMMISSION OF INDIA

16th December, 2022

PUBLIC NOTICE

Subject: Simultaneous Elections-suggestions from stakeholders.

A draft report on "Simultaneous Elections" prepared by the 21st Law Commission was considered in the second meeting of the 22nd Law Commission held on 29th November, 2022. The 22nd Law Commission resolved that it should again seek the opinion of the stakeholders including national political parties, the Election Commission of India, Bureaucrats, academicians, experts, etc. on the 6 questions put forth by the 21st Law Commission in its draft report as under:

- (i) Will holding simultaneous elections, by any means tinker with the democracy, basic structure of the Constitution or the federal polity of the country?
- (ii) The suggestions given by various Committees and Commissions to deal with the situation of hung Parliament / Assembly, where no political party has majority to form a government, propose that the Prime Minister / Chief Minister may be appointed or selected in the same manner as a Speaker of the House / Assembly is elected. Will it be possible? If so, will it be in consonance and in conformity with the Tenth Schedule to the Constitution?

- (iii) Will such an appointment or selection of the Prime Minister / Chief Minister by consensus amongst the political parties / elected members require amendment to Tenth Schedule to the Constitution? If so, to what extent?
- (iv) After detailed discussions, the Commission has come to the conclusion that holding simultaneous elections would be ideal as well as desirable, but a workable formula is required to be provided in the Constitution. What other Articles of the Constitution may require amendment(s)/insertion of new clauses or Articles, other than those discussed in the Draft Report?
- (v) To hold simultaneous elections, are there any other issue(s) apart from those discussed in the Draft Report that would require elaborate study?
- (vi) Do any of the suggestions / recommendations made in the draft report of the 21st Law Commission violate the constitutional scheme? If so, to what extent?

The suggestions/ opinion may be submitted online on Commission's website within 30 days from the date of notice through "[click here](#)" button.