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**ONE ELECTORATE, ONE VALUE: WHY INDIA MUST ABOLISH
DUAL CONSTITUENCY CANDIDATURES**

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ABSTRACT

The practice of one candidate contesting from multiple constituencies (OCMC) has been a persistent feature of India's electoral democracy, despite several reform efforts. While the Constitution entrusts the Election Commission of India with oversight, the Representation of the People Act (RPA), 1951 initially placed no restrictions and, even after the 1996 amendment, still permits a candidate to contest from two constituencies. This paper outlines the historical and legal background of OCMC and provides a critical assessment of its implications. It highlights the challenges of frequent by-elections, such as escalating financial costs, disproportionate advantages for ruling parties, repeated burdens on opposition candidates, and erosion of voter trust and democratic accountability. At the same time, this paper provides a comparative perspective by examining international practices, noting how most democracies, including the United Kingdom and European states, have abolished OCMC, while countries like Pakistan and Bangladesh still permit it in a limited form. Building on this analysis, this paper suggests potential reforms for India, including amending Section 33(7) of the RPA, 1951, to prohibit OCMC, recovering the costs of by-elections from vacating candidates, and restructuring the timing of by-elections to ensure fairness. In conclusion, this paper argues that while broad reforms such as "One Nation One Election" remain contentious, enforcing the principle of "One Candidate, One Constituency" offers a more immediate and practical measure to reduce electoral distortions, strengthen transparency, and reaffirm democratic values.

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I. INTRODUCTION

“The strength of a democracy is not measured by the power of its leaders, but by the trust of its people.”
- John W. Gardner²

The proposal of *One Nation, One Election*, simultaneous elections to the Lok Sabha and State Legislative Assemblies, has dominated India’s electoral reform debates. While discussions focus on feasibility, costs, and political implications, the equally significant issue of one candidate contesting from multiple constituencies (OCMC) has received less attention. Since the first general elections in 1951–52, OCMC has been a recurring strategy for political leaders to secure personal victory, expand party influence, or project national appeal. Initially, the Representation of the People Act (RPA), 1951, placed no limits, enabling candidates to contest several seats simultaneously. Winners, however, were compelled under Section 70 to vacate all but one, triggering by-elections. To curb this strain, Parliament amended the RPA in 1996, restricting candidates to two constituencies under Section 33(7). Despite this reform, the practice persists in parliamentary and assembly elections. OCMC poses serious challenges. By-elections impose financial and administrative burdens on the Election Commission and taxpayers. Ruling parties often gain structural advantages, while opposition candidates face disproportionate strain. Most importantly, it undermines democratic accountability, as voters see their representatives vacate seats soon after elections, eroding trust in the system. Internationally, advanced democracies such as the United Kingdom and most European nations have abolished OCMC, citing distortions in representation. In contrast, Pakistan and Bangladesh continue to permit it. India’s position—allowing two constituencies—remains a weak compromise. This research examines the historical, legal, and democratic dimensions of OCMC, drawing on doctrinal analysis of reports and debates, and argues for the principle of *One Candidate, One Constituency* (OCOC) as a necessary reform to strengthen democratic accountability.

II. HISTORICAL EVOLUTION OF MULTIPLE CANDIDACY IN INDIA

²John W. Gardner (attributed), “*The strength of a democracy is not measured by the power of its leaders, but by the trust of its people*”, quoted in *Quotations about Democracy*, CivicEd (quotation collection), available at: <https://www.civiced.org/quotations-about-democracy> (last visited 25 Sept. 2025)

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The practice of allowing a candidate to contest elections from more than one constituency in India is not an indigenous one, but a product of the colonial inheritance and the early institutional choices made during the framing of independent India's electoral laws. The immediate legal framework before the Constitution was the ***Government of India Act, 1935***, enacted by the British Parliament, which created a federal legislature and provincial assemblies with limited elected representation.³ Elections to these bodies were conducted in 1937 and 1946 under the supervision of the colonial administration, and were shaped by British models of representative government. Although the 1935 Act provided the general scheme for constituencies, nominations, and qualifications, it did not establish a consolidated electoral code akin to the later Indian statutes. The election process was fragmented across provinces and did not explicitly prohibit a candidate from offering themselves in more than one constituency, though the practice was not widespread in that limited franchise era.⁴ This meant that India's first experience with electoral democracy came under rules modelled on **Westminster traditions**, where multi-constituency candidature had historically been permitted in the United Kingdom until the 20th century, before later being disallowed by reforms to prevent duplication of representation.⁵ Thus, the conceptual basis of multiple candidature in India may be traced to the British parliamentary system, which India inherited during colonial rule.

With independence in 1947 and the adoption of the Constitution in 1950, the task of establishing a uniform electoral framework became urgent. The Constituent Assembly, while drafting the Constitution, entrusted the regulation of elections to Parliament, and consequently, the ***Representation of the People Act, 1950*** and the ***Representation of the People Act, 1951*** were enacted to provide for the allocation of seats, the conduct of elections, and related matters.⁶ The 1951 Act was particularly significant as it laid down the comprehensive procedure for free and fair elections in the new republic. Importantly, the Act expressly contemplated situations in which a candidate might contest from more than one constituency. It provided that a person could be nominated in multiple constituencies and, if

³*Government of India Act, 1935*, 26 Geo. 5 & 1 Edw. 8, c. 2 (U.K.).

⁴ Ibid; also see Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford University Press 1966) p. 97–100.

⁵ United Kingdom Electoral Commission, *Standing for Election in the UK* (Guidance, 2020) <https://www.electoralcommission.org.uk> accessed 12 September 2025.

⁶*Representation of the People Act, 1950* (Act No. 43 of 1950); *Representation of the People Act, 1951* (Act No. 43 of 1951).

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elected to more than one seat, would be required to vacate all but one.⁷ This statutory design reflected both the inherited British model and a pragmatic accommodation to Indian political conditions, where national leaders often commanded influence across regions.

The first general elections of 1951–52, conducted under the new constitutional and statutory framework, witnessed candidates such as Jawaharlal Nehru, Shyama Prasad Mukherjee, and others contesting from more than one constituency.⁸ This practice was not considered anomalous at the time; rather, it was seen as a legitimate expression of a leader's representative appeal. However, the by-elections triggered by vacated seats when a candidate won in multiple constituencies soon became a source of administrative burden and additional public expense. Nevertheless, for several decades after independence, the law placed no cap on the number of constituencies a candidate could contest simultaneously.

It was only in the mid-1990s, with growing concerns over electoral costs and fairness, that Parliament revisited the issue. The ***Representation of the People (Amendment) Act, 1996***, introduced a statutory restriction limiting a person to contesting at most two constituencies for the same office at the same election.⁹ This marked a significant departure from the earlier liberal approach and reflected a balancing of democratic choice against the practical difficulties of repeated by-elections. While the Election Commission of India and several reform bodies have since recommended reducing this number further to one, on grounds of efficiency and avoidance of wasteful expenditure,¹⁰ the law continues to permit contesting from two constituencies. The Supreme Court, when faced with challenges to the provision, has refrained from striking it down, noting that Parliament is competent to regulate such matters under its constitutional mandate.¹¹

Thus, the historical trajectory of multiple candidacies in India illustrates the layered evolution of its electoral system. From the colonial framework under the 1935 Act, which imported British conventions, through the permissive stance of the 1951 Act that allowed unlimited contests, to the pragmatic limitation introduced in 1996, the concept has adapted to India's democratic needs. The underlying rationale has oscillated between recognising the symbolic national presence of political leaders and curbing the inefficiencies associated with by-

⁷*Representation of the People Act, 1951*, s. 33(7), 70.

⁸ Election Commission of India, *First General Elections: A Statistical Report (1951–52)* (Election Commission of India 1952).

⁹*Representation of the People (Amendment) Act, 1996* (Act No. 21 of 1996).

¹⁰ Election Commission of India, *Proposed Electoral Reforms* (ECI 2004) p. 14–16.

¹¹*Charan Lal Sahu v. Union of India*, AIR 1985 SC 607.

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elections. In tracing this evolution, it becomes clear that while the practice was not a uniquely Indian innovation, its endurance reflects the complexities of managing representation in a diverse federal polity.

III. CONSTITUTIONAL AND LEGAL PROVISIONS ON MULTIPLE CANDIDATURE IN INDIA

The constitutional foundation for India's electoral framework lies in **Part XV of the Constitution**, which covers Articles 324 to 329. Article 324 vests the **superintendence, direction, and control of elections** in the Election Commission of India. Articles 325 and 326 guarantee universal adult suffrage and a single general electoral roll, while Articles 327 and 328 empower Parliament and State Legislatures respectively to make laws relating to elections. Most importantly, Article 327 gives Parliament exclusive competence to legislate on the conduct of elections to Parliament and State Legislatures, while Article 329 bars judicial interference in electoral matters except through election petitions. These provisions form the constitutional backdrop against which multiple candidacies have been regulated.¹² Further, **Article 101(2)** and **Article 190(3)** stipulate that if a Member of Parliament (MP) or State Legislature (MLA/MLC) is elected to more than one seat, they must vacate all but one seat in the manner prescribed by Parliament.¹³ Thus, the Constitution itself envisages the possibility of multiple elections and delegates the regulation of such candidature to Parliament.

The operational details are provided by the **Representation of the People Acts, 1950 and 1951**. The 1950 Act primarily deals with the allocation of seats and delimitation of constituencies. The 1951 Act, however, governs nominations, qualifications, disqualifications, conduct of elections, and the resolution of disputes. Section 33(7) of the 1951 Act originally permitted a candidate to contest any number of constituencies. Section 70 dealt with the situation where a candidate was elected from more than one constituency, requiring them to vacate all but one seat.¹⁴ This framework reflected a permissive approach, allowing political leaders to demonstrate influence across regions.

Concerns about administrative burden and repeated by-elections led Parliament to amend this position. The **Representation of the People (Amendment) Act, 1996**, inserted a restriction

¹² Constitution of India, art. 324–329.

¹³ Constitution of India, art. 101(2), 190(3).

¹⁴ *Representation of the People Act, 1951* (Act No. 43 of 1951), s. 33(7), 70.

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into **Section 33(7)**, providing that a candidate cannot contest more than two constituencies for the same office in a general election or bye-election.¹⁵ This amendment sought to reduce the frequency of by-elections caused by leaders contesting and winning multiple seats. Even so, the law continues to tolerate dual contests, despite repeated recommendations from the Election Commission of India and reform committees that candidature should be restricted to a single constituency.¹⁶

Judicial interpretation has generally upheld the legislative scheme. As we have seen earlier, the Charan Lal Sahu case and more recently, public interest litigations challenging multiple candidatures have been dismissed, with the Court observing that such issues fall within the policy domain of Parliament rather than constitutional mandate.¹⁷ The judiciary has therefore deferred to the legislature in balancing democratic choice with electoral efficiency.¹⁸

IV. COMPARATIVE LENS: FROM WESTMINSTER TO SOUTH ASIA

The Indian practice of permitting a candidate to contest from more than one constituency finds its roots in the British parliamentary tradition. Historically, in the **United Kingdom**, candidates were allowed to contest from multiple constituencies, a practice linked to the older system of multi-member constituencies in the 19th century.¹⁹ However, this practice was gradually abolished as democratic reforms expanded the electorate and rationalised parliamentary representation. Today, UK law explicitly prohibits a candidate from standing in more than one constituency at the same general election. The Electoral Commission of the United Kingdom clearly prescribes that “a candidate may only contest one constituency” in an election.²⁰ This shift reflects the British approach to ensuring electoral efficiency and avoiding duplication of representation, an approach that India has not fully adopted.

In **Pakistan**, electoral law has retained a permissive stance similar to India’s earlier model. The **Representation of the People Act, 1976** (repealed and now subsumed under the

¹⁵ *Representation of the People (Amendment) Act, 1996* (Act No. 21 of 1996).

¹⁶ Election Commission of India, *Proposed Electoral Reforms* (ECI 2004) p. 14–16.

¹⁷ *Ashwini Kumar Upadhyay v. Union of India*, W.P.(C) No. 1249-1250/2020, Supreme Court of India, Order dated 20 February 2023.

¹⁸ “No bar on contesting two seats in one poll”, *The Hindu*, February 03, 2023, <https://www.thehindu.com/news/national/sc-rejects-plea-seeking-to-bar-candidates-from-contesting-elections-from-more-than-one-seat/article66462561.ece>

¹⁹ Vernon Bogdanor, *The Monarchy and the Constitution* (Clarendon Press 1995) p. 142–144 (discussing multi-member constituencies and candidatures in the UK).

²⁰ United Kingdom Electoral Commission, *Standing for Election in the UK* (Guidance, 2020) available at: <https://www.electoralcommission.org.uk> (last visited on September 21, 2025)

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Elections Act, 2017) allowed candidates to contest from multiple constituencies, and political leaders have frequently availed themselves of this provision. Under the **Elections Act, 2017**, Section 60 continues to permit candidature from multiple constituencies.²¹ However, candidates elected from more than one constituency must vacate all but one, triggering by-elections. The practice has been controversial because of the costs imposed on the exchequer, and the Election Commission of Pakistan has, like its Indian counterpart, recommended reforms to limit multiple candidature, though these have not yet been legislated.²²

Bangladesh, whose electoral framework is closely modelled on the Indian Representation of the People Acts, also allows multiple candidature. The **Representation of the People Order, 1972**, which governs Bangladeshi elections, permits candidates to contest from more than one constituency.²³ The Election Commission of Bangladesh has occasionally voiced concerns over the costs and administrative difficulties arising from this practice, but no legislative restriction has been introduced.²⁴

This comparative survey demonstrates divergent trajectories. While the **UK** has abolished multiple candidatures to promote stability and reduce administrative burden, **South Asian democracies** - India, Pakistan, and Bangladesh continue to retain it, albeit with some restrictions in India after the 1996 amendment. The persistence of this practice in South Asia reflects a political culture where party leaders seek to demonstrate national appeal and secure “safe” constituencies, even at the cost of subsequent by-elections. Reform proposals in all three countries suggest a gradual move towards the British model, though legislative will has so far been lacking.

V. CHALLENGES OF BY-ELECTIONS TRIGGERED BY MULTI-SEAT CANDIDACIES

Recurrent by-elections, triggered by multiple-constituency contests, introduce several complications for electoral administration and the functioning of democracy.

a) Financial Burden on Taxpayers:

Conducting by-elections after candidates vacate seats imposes a direct cost on the exchequer. The 2014 Lok Sabha elections cost around ₹3,870 crore. Adjusted for

²¹Elections Act, 2017 (Pakistan), s 60.

²² Election Commission of Pakistan, “Annual Report 2018” (ECP 2018) p. 32–33.

²³Representation of the People Order, 1972 (Bangladesh), art. 12–13.

²⁴ Election Commission of Bangladesh, “Annual Report 2014” (Dhaka, 2015) p. 45–46.

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inflation, the 2024 general elections cost an estimated ₹16,931 crore, or ₹12.76 crore per seat.²⁵ If even 10 candidates vacate a seat after winning multiple constituencies, the additional cost of by-elections would exceed ₹130 crore.²⁶ Beyond official spending, the **Centre for Media Studies (CMS)** estimated that parties spent ₹1,35,000 crore in the 2024 elections, or ₹1,250 crore per constituency, much of it unaccounted funds.²⁷ By-elections replicate this cycle of excessive expenditure, magnifying the role of black money in politics.

b) Administrative and Logistical Strain:

Elections mobilise millions of personnel, including teachers, civil servants, and police, disrupting governance. By-elections double this burden in constituencies where leaders vacate seats. In November 2024 alone, 44 Assembly by-elections were conducted, many triggered by resignations after victories in multiple seats.²⁸ Each by-election requires polling stations, Electronic Voting Machines (EVMs), security forces, and election staff, diverting resources from regular administration and public service delivery.

c) Unfair Advantage to the Ruling Parties:

By-elections held within six months (as mandated by Section 151A of the RPA, 1951) tend to favour the ruling party, which can mobilise state resources and patronage networks. Opposition parties, already weakened from the general election, must expend money and manpower again, often at a disadvantage. Empirical studies of by-elections in India show a pattern of ruling party dominance, raising concerns of a non-level playing field.

d) Voter Disenchantment and Apathy:

When a leader contests and vacates a constituency, voters feel betrayed, as their representative abandons them within months. This leads to lower voter turnout in

²⁵ Election Commission of India, "Expenditure on General Elections 2014" (Government of India 2014).

²⁶ Santosh Kumar Dash and Santosh Kumar Panda, "Let's talk about one candidate, multiple constituencies", The Hindu, December 16, 2024, available at: <https://www.thehindu.com/opinion/lead/lets-talk-about-one-candidate-multiple-constituencies/article68989069.ece> (last visited on September 21, 2025)

²⁷ Centre for Media Studies, "Poll Expenditure Report 2024", New Delhi.

²⁸ Election Commission of India, "Bye-Elections Report", November 2024.

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subsequent by-elections.²⁹ For instance, in Wayanad, Kerala, when Rahul Gandhi vacated his seat in 2024, the by-election recorded a turnout of 64.24%, compared to 72.92% in the general election—a clear sign of voter fatigue.³⁰ Similarly, when Mamata Banerjee lost Nandigram in 2021 but retained Bhabanipur via a by-election, many Nandigram voters expressed discontent, questioning the fairness of leaders using multiple constituencies as “safety nets.”

e) Distortion of Democratic Principles:

Democracy is premised on “one person, one vote, one value”. Yet, OCMC gives influential leaders a multiplicative advantage, allowing them two chances to enter legislatures, unlike ordinary citizens who vote only once. In the *Ashwini Kumar Upadhyay v. Union of India (2023)* case, the petitioner argued that OCMC violates Article 19(1)(a) of the Constitution because it nullifies the mandate of voters in vacated constituencies, undermining their freedom of expression through the ballot. The Supreme Court upheld Parliament’s competence to regulate the issue but acknowledged the policy concern.³¹

VI. WHY LEADERS CONTEST FROM MORE THAN ONE CONSTITUENCY?

Despite the criticisms, political leaders and parties continue to justify the practice of contesting from more than one constituency. The following factors explain why multiple-seat contests remain strategically significant in Indian politics.

a) Safety Net for Political Leaders:

In India’s highly competitive and often unpredictable electoral environment, contesting from more than one constituency serves as a safeguard for prominent leaders. Even the most popular figures may face strong local opposition, unexpected coalitions, or caste-communal dynamics that jeopardize their chances. By standing

²⁹Shaju Philip, “Wayanad, where Priyanka made poll debut, records lowest-ever voter turnout since constituency’s formation”, The Indian Express, November 14, 2024, available at: https://indianexpress.com/article/cities/thiruvananthapuram/wayanad-where-priyanka-made-poll-debut-records-lowest-ever-voter-turnout-since-constituencys-formation-9668485/?utm_source=chatgpt.com (last visited on September 21, 2025)

³⁰Rimjhim Singh, “Wayanad sees low turnout of 64.72% in Priyanka Gandhi’s debut contest”, Business Standard, 14 November 2024, https://www.business-standard.com/elections/assembly-election/wayanad-sees-low-turnout-of-64-72-in-priyanka-gandhi-s-debut-contest-124111400869_1.html?utm_source=chatgpt.com (last visited on September 21, 2025)

³¹*Ashwini Kumar Upadhyay v. Union of India*, W.P.(C) No. 1249-1250/2020, Supreme Court of India, Order dated 20 February 2023.

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from two seats, leaders can secure their entry into the legislature, ensuring continuity in political leadership. This practice is often justified on the grounds that the stability of governments, particularly in parliamentary systems, depends on the assured presence of party heads in the legislature.

b) Ensuring Leadership Continuity in Leader-Centric Parties:

Indian politics is significantly shaped by leader-centric and family-based parties, where the presence of the leader in the legislative assembly or Parliament is crucial to party cohesion. In such parties, the leader is not only a campaigner but also the central figure for governance. If a party wins a majority but its leader loses by a single seat, it creates a crisis of leadership. OCMC allows such leaders to contest from a “safe seat” alongside a “challenging seat,” thereby safeguarding both leadership continuity and party stability. For example, in the 2021 West Bengal Assembly elections, Mamata Banerjee contested from Nandigram but lost³² However, she retained power as her party colleague vacated Bhabanipur, enabling her re-entry.³³ Similarly, Pushkar Singh Dhami, after losing his constituency in Uttarakhand’s 2022 elections, returned as Chief Minister through a by-election facilitated by OCMC practices.³⁴

c) Wider Political Presence and Strategic Flexibility:

Multiple candidacies also serve broader strategic purposes for parties and leaders. Contesting from different constituencies symbolically projects a leader’s appeal across regions, reinforcing their national or state-wide stature. It provides parties with greater campaign visibility, strengthens local mobilisation, and enhances media attention in key battlegrounds. Historically, leaders like Indira Gandhi and Atal Bihari Vajpayee used this method to consolidate their pan-Indian image. Further, in transitional phases of party politics, OCMC provides flexibility: emerging leaders

³² Monideepa Banerjee and Deepshika Ghosh, “Mamata Banerjee Set To Contest From Earlier Seat After Losing Nandigram”, NDTV, 21 May 2021, <https://www.ndtv.com/india-news/mamata-banerjee-may-contest-from-bhawanipore-seat-her-mla-shobhandeb-chattopadhyay-may-quit-sources-2446477> (last visited on September 19, 2025)

³³ Tanmay Chatterjee, “Mamata wins bypoll on Bhabanipur seat by massive margin”, Hindustan Times, Kolkata, 4 October, 2021, <https://www.hindustantimes.com/india-news/mamata-wins-bypoll-on-bhabanipur-seat-by-massive-margin-101633286527180.html> (last visited on September 20, 2025)

³⁴ “Pushkar Dhami, Who Lost Uttarakhand Poll, To Contest Bypoll From Champawat”, NDTV, 5 May, 2022, <https://www.ndtv.com/india-news/uttarakhand-chief-minister-pushkar-singh-dhami-who-lost-uttarakhand-poll-to-contest-bypoll-from-champawat-2948564> (last visited on September 21, 2025)

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without a secure base can ensure their legislative entry while simultaneously testing their reach in new areas. Thus, the practice operates as both a symbolic gesture and a pragmatic tool of political strategy.

VII. LAW COMMISSION AND ELECTION COMMISSION PERSPECTIVES ON MULTIPLE CANDIDATURES

The Law Commission and the Election Commission have repeatedly addressed the challenges posed by multiple candidacies, offering key reform proposals.

- a) *Law Commission Report No. 170 (1999)* conducted a comprehensive review of India's electoral statutes and identified recurring administrative and fiscal inefficiencies arising from the frequency of by-elections. The report analysed a range of structural reforms aimed at eliminating wasteful duplication, including proposals to streamline rules governing candidature, and considered limiting the number of constituencies from which a person may stand as a means to reduce avoidable vacancies and consequent by-elections. Although Report No. 170 stopped short of advocating an immediate, blanket prohibition on multiple candidature, it treated restriction of the practice as a defensible policy measure to curb by-election frequency and the attendant public expenditure.³⁵
- b) *The Law Commission's subsequent and more comprehensive Report No. 255 (2015)* re-examined these issues and offered firmer recommendations. After assessing the administrative burdens and democratic costs associated with multiple candidacies, the Commission recommended amending Section 33(7) of the Representation of the People Act, 1951, to limit a candidate to a single constituency for the same office, endorsing the principle of "one candidate, one constituency." The 255th Report framed this change as a proportionate measure to conserve public resources, enhance representative accountability, and minimise electoral disruption arising from vacated seats and consequent by-elections.³⁶
- c) *The Election Commission of India's 2004 Proposed Electoral Reforms* paper adopted a pragmatic stance on multiple candidature. It recommended either a statutory

³⁵ Law Commission of India, "170th Report on Reform of the Electoral Laws" (May 1999), Part VI, Ch. I (Other Proposals in the Working Paper), p. 96-97

³⁶ Law Commission of India, "255th Report on Restriction on the Number of Seats from which a Candidate may Contest", paras 15.1–15.4, p. 206-207

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prohibition on contesting more than one seat or, if a total ban proved politically unviable, the imposition of financial disincentives on candidates who stand from multiple constituencies. Concretely, the ECI proposed that candidates who cause by-elections should be required to deposit a specified sum (with different slabs for Lok Sabha and State Assemblies) to defray part or all of the administrative cost of the ensuing poll.³⁷ This dual prescription—prohibition or cost-recovery—was advanced as a deterrent mechanism designed to align the private incentives of political actors with the public interest in preserving state resources.³⁸

VIII. CONCLUSION AND SUGGESTION

The practice of one candidate contesting from multiple constituencies reflects the peculiar intersection of political strategy and institutional design in India's democracy. Though historically legitimised and still tolerated under Section 33(7) of the Representation of the People Act, 1951, its costs today far outweigh its advantages. Vacated seats and recurring by-elections burden the exchequer, disrupt governance, and undermine voter confidence, while simultaneously privileging incumbents and leader-centric parties. The limited justifications advanced—leadership continuity, symbolic presence, and electoral hedging—cannot justify the erosion of accountability and fiscal prudence inherent in the practice. Comparative experience demonstrates that mature democracies have abandoned multiple candidacies to safeguard clear representation and efficient administration. Within India, both the Law Commission and the Election Commission have consistently recommended reform, ranging from statutory prohibition to calibrated financial disincentives. Adopting the principle of “one candidate, one constituency” is therefore neither radical nor impractical; it is a necessary step to align India's electoral system with democratic equality, fiscal responsibility, and representational integrity. Ultimately, elections must be a mechanism for genuine representation, not a tactical exercise in risk management for political elites. By legislating to end multiple candidature, Parliament can strengthen the sanctity of the electoral mandate, conserve public resources, and reaffirm the principle that democracy is fundamentally about

³⁷ Archis Mohan, “LS polls: History, law behind candidates contesting 2 seats simultaneously”, Business Standard, 2 May, 2024, https://www.business-standard.com/elections/lok-sabha-election/ls-polls-history-law-behind-candidates-contesting-2-seats-simultaneously-124050201162_1.html (last visited on September 21, 2025)

³⁸ Election Commission of India, Proposed Electoral Reforms (2004), Part I, Ch. 4, “Restriction on the Number of Seats from which One May Contest”, p. 5

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the voter's voice. The time is thus ripe for decisive reform: one person, one vote must be matched by one candidate, one constituency.

Permitting a candidate to contest multiple constituencies creates an asymmetry in opportunity: a small set of elite leaders obtains multiple chances to be elected while ordinary aspirants have only one. Restricting candidature to a single constituency restores parity of opportunity and aligns practice with the democratic ideal of equal political contestation. This could be done by amending Section 33(7) of the Representation of the People Act, 1951, to permit a person *to contest only one constituency for the same office* at an election.

Why is OCOC essential?

a) Strengthening Political Accountability and Representation:

When a candidate wins and then vacates a seat, the link between the electorate and the representative is broken. "One candidate, one constituency" preserves the integrity of the electoral mandate by ensuring that voters elect a person who intends to serve that constituency. This increases accountability: elected representatives cannot treat constituencies as temporary stepping-stones and must be answerable for their performance to the same set of voters who elected them.

b) Reducing Fiscal and Administrative Waste:

Vacated seats trigger by-elections that impose real administrative and monetary costs on the state (polling staff, security, logistics) and repeat costly campaign cycles. A single-constituency rule eliminates many avoidable by-elections, saving public resources and freeing administrative capacity for other governance priorities.

c) Level Playing Field and Electoral Competitiveness:

By-elections that follow the vacating of seats often favour incumbents and the ruling party, because of resource mobilisation, administrative influence, and short timeframes that favour better-funded actors. Prohibiting multiple candidacies reduces such tactical advantages and helps ensure more competitive, equitable contests that better reflect voter preferences at the general poll.

d) Mitigating Distortion from Leader-Centric Politics:

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Multiple candidature disproportionately benefits highly personalised, leader-centric parties and dynastic structures by letting leaders hedge risks and centralise power. A one-seat rule incentivises parties to cultivate a broader bench of leaders, decentralise decision-making, and invest in local candidates, thereby strengthening party organisational depth and internal democracy.

e) Electorates' Clarity:

Single-seat candidature reduces voter confusion and prevents the disruption of representation soon after a general election. It also simplifies electoral administration and legal rules (clear nomination rules, straightforward contingency planning), improving legal certainty and public trust.

“If one person, one vote is the bedrock of democracy, then one candidate, one constituency must be its necessary corollary.”