

# 1 Designing for Democracy

## Rewriting the Bureaucratic Colonial Imagination

---

It is suggested that we should initiate the preparations of Electoral rolls as a separate operation and address the Provincial Governments in the matter.<sup>1</sup>

(K. V. Padmanabhan)

I should then like [Under Secretary] to prepare a plan for India as a whole nation ...<sup>2</sup>

(B. N. Rau)

An electoral roll on the basis of universal franchise prepared and maintained as accurately and as up-to-date as possible, was the plinth upon which the institutions of electoral democracy would rest. Whereas legal provisions, administrative rules, and procedures for preparation of electoral rolls existed under the colonial framework of elections, neither a conceptual nor a practical institutional schema for universal adult franchise existed for India. Indeed, as already mentioned in the introduction, throughout the first half of the 1930s in the course of making inquiries ‘into the general problem of extending the franchise’<sup>3</sup> in the run-up to the 1935 Act, both colonial administrators and Indian representatives in the provincial legislatures across the country asserted that ‘assuming adult suffrage’ would be ‘impracticable at present’,<sup>4</sup> and ‘not administratively feasible’.<sup>5</sup>

<sup>1</sup> Note by the Under Secretary of the Constituent Assembly Secretariat, K. V. Padmanabhan, 18 October 1947, CA/1/FR/48-I, Election Commission of India Record Room (hereafter ECIR).

<sup>2</sup> Internal note by the Constitutional Adviser, B. N. Rau, 16 February 1948, CA/1/FR/48-I, ECIR.

<sup>3</sup> Letter from Ramsay Macdonald to C. H. Lothian, 29 December 1931, Mss. Eur. f/138/15, India Office Collections, British Library (hereafter IOC).

<sup>4</sup> Reports of the United Provinces Government and Provincial Committee, 1932, IOR/Q/IFC/61, IOC.

<sup>5</sup> ‘Summary of Indian Franchise Report’ (presented to Parliament, 2 June 1932), L/1/1/607, IOC. The Franchise (Lothian) Committee estimated at the time that adult franchise would mean an electorate of 130 millions.

The franchise provisions in the Government of India Act, 1935 (Sixth Schedule), with 12 parts spread over 51 pages, contained various qualifications for being a voter for a divided and restricted electorate in each of the 11 provinces.<sup>6</sup> The ‘Table of Seats for the Provincial Legislative Assemblies’ consisted of 17 columns, designating the different categories of seats, among them five distinct types of ‘seats for women’.<sup>7</sup> Correspondingly, provisions for inclusion on the rolls read, for example: ‘No person shall be included in the electoral roll for a Sikh constituency, a Mohammadan constituency or an Anglo-India constituency, a European constituency or an India Christian constituency unless he is a Sikh, a Mohammadan, an Anglo-India, a European or an India Christian, as the case may be.’<sup>8</sup> A District Magistrate of Dacca during the 1946 elections noted that ‘there are entirely different electoral rolls for the different types of constituency, Hindus and Moslems having separate constituencies and separate rolls’.<sup>9</sup>

The proposal to institute universal franchise was founded on an entirely different concept of voter registration. It required a concrete practical method of rendering all eligible adults procedurally equal individuals on a joint electoral roll based on uniform qualifications. Producing the instructions for an electoral roll on the basis of adult franchise for India meant a conceptual and practical rewriting of the structures of colonial electoral rolls and the procedures on which they were compiled. This was essential because the institution of universal franchise did not exist in India until then – nor had it existed at the time on such a scale anywhere else. Moreover, the task of producing a joint electoral roll on an all-India scale in the context of immense territorial and administrative changes at the time of the integration of the princely states was also a critical test of the authority and administrative capacity of the centre. It was therefore necessary to produce instructions with a detailed description of the elementary features of the new electoral roll and the nature of the registration process. Because of the enormity of the task, which had no precedent, the portrayal had to be sufficiently comprehensive to allow administrators across the country to follow them.

<sup>6</sup> *Government of India Act, 1935*, Sixth Schedule, pp. 247–98. For example, Part II Madras, contained sub-chapters on qualifications dependent on taxation, property, ‘by reason of guardianship’, literacy, Service in His Majesty’s force, additional qualifications for women, applications necessary for enrolment in certain cases and general provisions as to joint property. *Ibid.*, pp. 250–4. The Act also allowed for parts of the territory to be ‘deem unsuitable for inclusion in any constituency.’ *Ibid.*, Fifth Schedule, Clause 5, p. 240.

<sup>7</sup> *Ibid.*, Sixth Schedule, p. 245.

<sup>8</sup> *Ibid.*, p. 247.

<sup>9</sup> F. O. Bell, ‘Parliamentary Elections in Indian Provinces’, *Parliamentary Affairs* 1, no. 2 (Spring 1948), p. 23.

This chapter centres on the process of devising the instructions for the preparation of the first draft electoral roll on the basis of adult franchise and its implications for the construction of democracy. It explores how Indian bureaucrats began to depart from colonial administrative habits and procedures of voter registration to make the universal franchise a reality. I suggest that in effect, the process of devising the instructions for the preparation of the preliminary draft electoral roll on the basis of adult franchise became an all-India administrative exercise in guided democratic political imagination, which imbibed the notion of universal franchise within the administrative machinery around the country ahead of the enactment of the constitution. The Constituent Assembly Secretariat (CAS) directed the process, which in turn informed deliberations about the practicalities of instituting adult franchise at the lower administrative levels. By examining this process and comparing it with colonial discourses on franchise and procedures for the preparation of electoral rolls, the chapter explores key changes in the bureaucratic political imagination in the transition from colonial rule to independence that were enabled by the administrative undertaking of making the universal franchise. This exercise, I argue, resulted in instituting and operationalising the procedural aspect of the idea of 'one woman/man, one vote'. It also set in motion the creation of a new national polity for India.

### **Devising the Instructions: An Exercise in Guided Democratic Imagination**

It was somewhat by chance, and indeed unplanned, that the Constituent Assembly Secretariat undertook the colossal project of the preparation of the draft electoral roll on the basis of adult franchise in late September 1947. The practical implications of preparing the roll first arose in a detailed letter on the subject of 'Electoral Rolls and Census', which K. T. Shah, a member of the Fundamental Rights Committee of the Constituent Assembly, addressed to its President Rajendra Prasad on 27 August 1947. 'It has been decided', wrote Shah, 'that the elections to the Legislature under the new Constitution shall be by Adult Suffrage. The preparation of the Electoral Roll on this basis, in every Unit, as well as for the whole country, will be a prolonged and costly task. I, therefore, suggest that the occasion may be utilised to take a complete Census of the country about the same time.'<sup>10</sup> Shah stressed that there was a lack of

<sup>10</sup> Letter from K. T. Shah to Rajendra Prasad, 31 August 1947, CA/I/FR/48-I, ECIR. K. T. Shah's role in initiating the question of the practical implementation of full devolution is noteworthy in the light of his engagement with the question of self-rule and the ability of Indians to participate in it from the time of the 1919 constitutional reforms. See Stephen

statistics to underpin the work of the National Planning Committee that the Congress set up in 1938 and of which he was a member. The idea, Shah explained, would be to hold the decennial census two years earlier than originally planned.

Shah wrote that he did not know exactly to what Ministry he should address his suggestion. He explained that:

[t]he Constituent Assembly is the sovereign Legislature, to which the entire Ministry is now responsible; and as you are the President of that Legislature, I have deemed it most expedient to submit the suggestion, in the first instance to you, in the hope that you convey it to the proper quarters. I do not think it necessary to make a motion in the House for this purpose, even assuming it is a feasible course. I leave it, therefore, entirely to you to decide how to proceed, and get the best results.<sup>11</sup>

Prasad forwarded the letter for the Secretariat's consideration.

In late September 1947 the members of the Secretariat reviewed Shah's proposal.<sup>12</sup> In the notes of the discussions Shah's proposition to combine the preparation of the electoral roll with the census was viewed with scepticism. Someone remarked that merging the two exercises would risk bringing politics into the census, creating confusion for the public and thus affecting the accuracy of the two operations.<sup>13</sup> Before making a final decision they sought an expert opinion on Shah's proposal from K. B. Madhava, Professor of Mathematical Economics and Statistics at Mysore University.<sup>14</sup>

In his report Madhava advised not to combine the preparation of electoral rolls with the census. He explained that an electoral roll is a statutory document, while a census is a 'useful inventory', and the implications of the two tasks are very different. The former is done on the basis of particular qualifications for enfranchisement and requires a complete enumeration, while the latter covers demographic, sociological, and economic characteristics and can be done on the basis of sampling.<sup>15</sup> Madhava also mentioned that 'there has been much suspect [sic]' over

Legg, 'Dyarchy: Democracy, Autocracy, and the Scalar Sovereignty of Interwar India', *Comparative Studies of South Asia, Africa and the Middle East* 36, no. 1, 2016, pp. 44–65.

<sup>11</sup> Letter from K. T. Shah to Rajendra Prasad, 31 August 1947, CA/I/FR/48-I, ECIR.

<sup>12</sup> Internal notes, 29–30 September 1947, CA/I/FR/48-I, ECIR.

<sup>13</sup> Ibid.

<sup>14</sup> Professor K. B. Madhava introduced teaching of Statistics, Mathematical Economics, and Social Measurements in the Graduate degree programme in Statistics, the first of its kind in India in 1924, at the Maharaja's College, University of Mysore. See <http://ycm.uni-mysore.ac.in/statistics.php> (accessed 24 December 2016). The Secretary of the CAS asked to also send Shah's proposal to Professor Mahalanobis, but he was engaged at the time with the UNO (United Nations Organisations).

<sup>15</sup> K. B. Madhava's Note (a five-page report), 11 October 1947. CA/I/FR/48-I, ECIR.

the decennial censuses of 1921, 1931, and 1941.<sup>16</sup> He wrote that separate and adequate steps are due to be taken for repairing the lack of statistics for policy making, but that the importance of 'the maintenance of an accurate and up-to-date electoral roll' makes it 'worth while to concentrate attention' on it alone.<sup>17</sup>

Madhava wrote about the scope of the electoral roll on the basis of adult franchise, and the challenges that may arise in its preparation. He anticipated that 'Proofs of having attained "adult" age will turn out to be an insuperable problem since ignorance of precise age is almost universal in India', that 'citizenship and naturalization are also bound to throw up good many problems of interpretations', as would the 'case of migrant people'.<sup>18</sup> He also discussed the need to consider the particulars that should be in the voters' register, the drafting of suitable forms and instructions for filling them, and the process of districting.

Discussing Madhava's report, the Under Secretary of the CAS concluded that 'we should initiate the preparations of Electoral rolls as a separate operation and address the Provincial Governments in the matter'.<sup>19</sup> Subsequently, the Secretary of the CAS wrote to Rajendra Prasad with the recommendation not to mix up the preparation of electoral rolls with the census. He suggested that 'it is necessary that we should take steps to consult Provincial Governments about the ways and means of preparing electoral registers on the basis of adult franchise'. He noted that 'this is not an easy problem'.<sup>20</sup> Prasad agreed.

In its preliminary steps toward implementing the universal franchise the CAS recognised that preparing the electoral roll would require a new form of population counting and knowledge that would make a clean break from colonial practices of enumeration. The Secretary of the CAS emphasised that 'the last census was regarded as inaccurate on account of political and communal considerations having been allowed to come into play, and this criticism may become validated' if the census is combined with the registration of voters, 'in which, apart from individual interests, party interests may also be in action'.<sup>21</sup> In the view of the members of the Secretariat it was critical for the state to find a new way of seeing, to borrow James Scott's construction.<sup>22</sup> Their logic was informed

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Note by Under Secretary, K. V. Padmanabhan, 18 October 1947, CA/I/FR/48-I, ECIR.

<sup>20</sup> Note from H. V. R. Iengar to Rajendra Prasad, 27 October 1947, CA/I/FR/48-I, ECIR.

<sup>21</sup> Letter from H. V. R. Iengar to Prof. K. T. Shah, 4 November 1947, CA/64/RR/47, ECIR. The 1941 census was adversely affected by the war.

<sup>22</sup> James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, New Haven: Yale University Press, 1998.

by a new imperative of seeing like a people. Divorcing the preparation of the electoral rolls from the census operation meant designing for the enumeration and constitution of the people as citizens-sovereigns, not people as a population, subjects-targets of democratic governance.<sup>23</sup>

In November 1947 the Secretary of the CAS wrote to all the premiers of the provinces and states and the convenors of group states:

The draft of the new Constitution prepared on the basis of the decision taken by the Constituent Assembly provides adult franchise ... The work involved in preparing electoral rolls on the basis of adult franchise is a colossal one, and it is necessary now to start examining the administrative problems involved. The President will be glad if you will undertake this in consultation with the other member States of the group of which you are acting as the Convener ... and let us know how you propose to prepare the rolls, what difficulties you anticipate and how you propose to meet them.<sup>24</sup>

In effect, this was an all-India administrative exercise in guided democratic political imagination. The CAS asked the premiers of provinces and states to imagine the making of a joint electoral roll. That meant they were asked to envision the whole adult population as capable equal voters, each carrying the same weight. They were asked to 'undertake this in consultation';<sup>25</sup> to envisage the difficulties, as well as to identify the possible solutions. The idea was, the letter stated, that 'after the views of the various Provincial and State governments have been received ... to evolve some uniform method for preparing the electoral rolls and also to enable a general exchange of ideas on the subject'.<sup>26</sup> The question before the premiers of provinces and states was how to operationalise the basic procedural aspect of the notion of equality. To address it they now had to engage concretely with making universal franchise in their local context.

Over the next few months the governments of the provinces and the states gradually took on the task. Some did so more conscientiously than others. The Jaipur Government, for example, appointed a committee to produce a report on the question of the 'administrative problems involved in preparing the electoral rolls on the basis of adult franchise'.<sup>27</sup>

<sup>23</sup> See Michel Foucault, 'Governmentality', in Peter Miller, Colin Gordon, and Graham Burchell (eds), *The Foucault Effect: Studies in Governmentality*, Chicago: University of Chicago Press, 1991, pp. 87–104.

<sup>24</sup> Letter from the Secretary of the CAS to the Premiers of all the Provinces and States, 22 November 1947, CA/5/FR/48, ECIR. On 27 November 1947, the CAS sent the letter to an additional 11 states that were not on the list of addressees of the 22 November letter.

<sup>25</sup> Ibid. The letter only set the age limit of an elector to be no less than 21.

<sup>26</sup> Letter from the Secretary of the CAS to Convenors of the Groups of States Represented in the Constituent Assembly, 27 November 1947, CA/1/FR/48-I, ECIR.

<sup>27</sup> The Committee was set up on 16 December 1947 under the Chairmanship of the Development Minister. Other members of the committee included the Reforms

The Government of the United Provinces expanded the guided exercise in democratic political imagination, when it sent a detailed request to all District Officers asking for their views and proposals for the preparation of the roll. The letter laid out for the District Officers the differences between the nature of enrolment and franchise as it had been practised thus far, and enrolment on the basis of universal franchise, which they were asked to imagine. The letter stated, for example: 'the number of persons on the ... rolls will increase four times approximately [it actually increased 6.5 times], but the simplified qualification will to some extent at least make easier the preparation [sic]. There will be no need to refer to ... income tax, or revenue records, to judge a person's eligibility for being a voter nor will the roll for an area be prepared according to communities'.<sup>28</sup>

The Government of Madras considered some principle questions, for example, whether the onus of registering voters should rest on the voter or on the government. In doing so their note compared procedures for voters' registration in Ceylon, England and the USA. They also proposed, among other things, to set a date, which would be declared as a public holiday, on which a census of all adult voters would be taken throughout the province; to prepare fortnightly reports on the progress of the work; and to ensure sufficient publicity through the press and 'through propaganda vans'.<sup>29</sup>

The vast majority of the states and provinces that responded did 'not anticipate serious difficulties in the task stupendous as it is'.<sup>30</sup> 'So far as Patna State is concerned', wrote its Chief Minister, 'the work of the preparation of electoral rolls on the basis of adult franchise ... can be tackled with a tolerable degree of accuracy through the ... net-work [sic]

Adviser, the Law Secretary and the Revenue Secretary. A Statistical Officer was also invited to the discussions. See Report of the Jaipur Government on administrative problems involved in the preparation of the electoral rolls, 20 March 1948, CA/1/FR/48-I, ECIR.

<sup>28</sup> Letter from the Deputy Secretary to Government, United Provinces to All District Officers, United Provinces, 7 January 1948, CA/1/FR/48-I, ECIR.

<sup>29</sup> Letter from the Chief Secretary Government of Madras (Public (elections) Department) to CAS, 5 February 1948, CA/1/FR/48-I, ECIR. According to the proposal, the public holiday day could be declared under the Negotiable Instruments Act; all government officials, including pensioners and able-bodies could be mobilised for the task. The Chief Secretary suggested sending it to all Collectors of Districts, and Inspectors of Municipal Councils Commissioner for further remarks.

<sup>30</sup> Letter from the Raj Mandir, Danna C. I. to CAS, 7 December 1947, CA/1/FR/48-I, ECIR. The letter referred to preparation of electoral rolls for the States in Central India comprising of the Malwa States and Bundelkhand States. Also see letter from the Dewan, Baroda State to CAS, 2 January 1948; letter from the Secretary to the Government of His Highness the Maharaja of Mayurbhanj State, 17 December 1947, *ibid*.

of which the Patna government have got [sic] throughout the State'.<sup>31</sup> Similarly, Surguja State's letter laid out in detail their 'network of staff' that could 'prepare a list of all adults'.<sup>32</sup> Notably, Surguja, as in most princely states, had no experience with any form of democracy until that time, unlike the provinces of British India, where elections on a limited franchise were held. Some governments suggested that 'by the introduction of adult franchise preparation of electoral roll will be very much simplified'.<sup>33</sup> Bureaucrats in the states and provinces were quick to identify the officers who would be entrusted with the task. They even had notions of how much they would be paid for the additional work;<sup>34</sup> what the registration form should look like;<sup>35</sup> and who in, or which part of, the local administration would supply the forms.<sup>36</sup> Only in one state, Bhuj (Kutch) did the Dewan write that 'educationally and politically Kutch is a backward state ... conditions are such as to make it very difficult in the immediate future to introduce adult franchise and to prepare electoral rolls based on such franchise'.<sup>37</sup> Some state governments suggested that

<sup>31</sup> Letter from the Chief Minister of Patna State to CAS, 8 December 1947, CA/1/FR/48-I, ECIR. Enrolment was envisioned to be conducted through the State's 700 circa Panchayats.

<sup>32</sup> See letter from the Chief Minister Surguja State, 2 December 1947, CA/1/FR/48-I, ECIR. The Chief Minister of the State explained: 'it will be possible for' the Patwaris, who have records of almost all residents of villages, 'to prepare a list of all adults'.

<sup>33</sup> Letter from Election Commissioner East Punjab to CAS, 13 January 1948, CA/1/FR/48-I, ECIR. Also see letter from the Deputy Secretary to Government, United Provinces to All District Officers, United Provinces, 7 January 1948, *ibid*.

<sup>34</sup> See, for example, letter from the Secretary to Government Law Department, Government of Mysore to CAS, 19 January 1948, CA/1/FR/48-I, ECIR.

<sup>35</sup> For example, the Mysore government suggested that the columns in the form include: s. no, name, age, father's/husband's name, occupation and address, and remarks. *Ibid*. The Madras Government proposed that the 'elector's form' would include: community, caste or sub-caste, literacy and occupation. Letter from the Chief Secretary Government of Madras (Public (elections) Department) to CAS, 5 February 1948, CA/1/FR/48-I, ECIR.

<sup>36</sup> Thus, the Rewa State laid out a comprehensive scheme for the process of enlistment, and passed in January 1948 two State Council resolutions regarding preparation of electoral rolls. The State's procedures set that 'printed forms will be supplied to the Revenue Minister by the Reforms Department within 15 days of the receipt of this resolution in the Reforms Department ... The Revenue Minister will arrange to send the requisite number of forms to each Tahsil Headquarter within five days of the receipt of these forms ... he will be provided with Motor Transport and Petrol coupons to facilitate the supply of forms'. The resolution further instructed that the work of enumeration would be done by the Patwaris in the Kothar areas, by the Forest Guards in the villages and illakedars (officers) in their respective (forest) areas. The Tahsildars will be responsible for the preparation of the electoral roll on the basis of the forms they will get from the enumerators within 25 days of receiving these forms; the roll will be in Hindi. 'The Reforms Department will supply instructions in simple Hindi.' See letter from the Chief Secretary Rewa State to CAS, 19 February 1948, CA/1/FR/48-I, ECIR.

<sup>37</sup> See letter from the Dewan of Bhuj (Kutch) to CAS, 6 December 1947, CA/1/FR/48-I, ECIR. The Dewan, however, noted that this question is seriously engaging the



the Indian Government should arrange for training courses for Election Officers to remedy lack of qualified personnel in this matter.<sup>38</sup>

It was perhaps because the request to 'imagine the roll' was not pinned to a grand nationalist dream about freedom and democracy, but was rather confined to the concrete technical venture of enlistment, that administrators of the states and provinces could envisage the fine details the process would entail in their local contexts. In the CAS's request of the provinces and states the idea of the universal franchise was not accorded with special moral weight or importance. The CAS asked them to 'start examining the administrative problems involved'<sup>39</sup> in preparing a list of all adults, as well as the difficulties that may arise in doing so. Their task was not to implement freedom, equality or the so-called 'will of the people'. The task was posited as ambitious and complex, but it was ultimately perceived to be a technical and administrative undertaking.

Indeed, the correspondences from administrators in the provinces and states demonstrated their pragmatic approach and problem-solving orientation to making universal franchise work. Administrators delved into the minutiae of the task. They described in detail and thus introduced before the CAS the local administrative structure and its capacities, as well as recent relevant legislation. The political, historical, or even symbolic significance of the universal franchise was completely absent from the correspondences. Accordingly, administrators made efforts to 'measure' the endeavour of the making of the universal franchise, breaking down the task into numbers.

Thus, the imagined difficulties were mostly logistical. A frequently expressed concern was an anticipated shortfall of paper for the roll and presses for printing because, for example, as the Election Commissioner East Punjab commented, 'all the big presses at which they [the rolls] used to be printed are in Lahore', which was now in Pakistan.<sup>40</sup> The Madras and Jaipur governments predicted a shortage of paper on the basis of estimated projections of their voter population under the adult franchise.<sup>41</sup>

consideration of His Highness Maharao Sahib Bhadur of Kutch, and asked to be informed 'how other important states of India propose to act in this behalf'. Ibid.

<sup>38</sup> See letter from Kotah State to CAS, 8 January 1948; S. no. 63, 18 March 1948; S. no. 21–23 (on Bastar State), 2 January 1948, CA/1/FR/48-I, ECIR.

<sup>39</sup> Letter from the Secretary of the CAS to the Premiers of all the Provinces and States, 22 November 1947, CA/5/FR/48, ECIR.

<sup>40</sup> Letter from Election Commissioner East Punjab to CAS, 13 January 1948, CA/1/FR/48-I, ECIR.

<sup>41</sup> The Chief Secretary of the Madras government wrote: 'the voters list containing roughly 30 million voters (so far as the Madras Presidency is concerned) is not an easy job ... There are four main regional languages ... Finding paper for printing is another problem.' See letter from the Chief Secretary Government of Madras (Public (elections) Department) to CAS, 5 February 1948, CA/1/FR/48-I, ECIR.

The Jaipur Government calculated that 1,000 reams of paper would be needed, and that 'it may even be necessary to sponsor some legislation for commandeering private presses for the purpose'.<sup>42</sup> Another envisaged problem was the difficulty of determining the age of voters because of the general absence of birth records and certificates.<sup>43</sup> A few states also mentioned the difficult topographical conditions and the lack of means of communication as factors that might impede the work.<sup>44</sup>

In some of the states, for example, Cochin, Manipur, Mewar, Pudukkottai, and Travancore, adult franchise was already introduced at that time, or in the process of being introduced. These states, therefore, did not anticipate any special difficulty for preparing the electoral rolls.<sup>45</sup> The Government of Travancore was just preparing at the time for its first elections on the basis of adult franchise for an electorate of 2.95 million, which was to take place in early February 1948. The Secretary to the Government of Travancore shared with the CAS in great detail, over a six-page letter, the scheme that they had devised for the task, describing both the legal and administrative actions: how the enlisting of all adults was actually done; which personnel were in charge and how they were remunerated; what difficulties they encountered; what steps were taken to ensure as far as possible the accuracy of the work; and the methods for engaging the public in the process. Thus, they decided to conduct the registration 'on a house-to-house basis ... because it was thought that a voluntary or optional system of registration would hardly serve to achieve the desired object. For ensuring the collection of all relevant statistics relating to the adults of the State, a form (copy enclosed) was adopted for the registration of adults.'<sup>46</sup> The affixing of numbers

<sup>42</sup> Report of the Jaipur Government on administrative problems involved in the preparation of the electoral rolls, 20 March 1948, CA/1/FR/48-I, ECIR. On the anticipated shortage of paper for the roll also see letter from the Secretary to Government Law Department, Government of Mysore to CAS, 19 January 1948, letter from Kotah State to CAS, 8 January 1948, S. no. 82, 23 April 1948, *ibid*.

<sup>43</sup> See letter from Bastar State, 8 December 1947, S. no. 21–23 (internal notes), 2 January 1948, letter from Bharatpur State, 12 January 1948, CA/1/FR/48-I, ECIR.

<sup>44</sup> See for example, letter from the Chief Secretary of the Tehri-Garhwal State to CAS, 26 January 1948, CA/1/FR/48-I, ECIR.

<sup>45</sup> See letter from the Chief Secretary Mewar Government Udaipur, 30 December 1947, letter from the Dewan of Pudukkottai, 5 December 1947, letter from the Secretary of Aundh State, 7 March 1948, letter from the Chief Minister of Manipur State, 15 March 1948, letter from the Chief Minister of Cooch Behar State, 27 January 1948, CA/1/FR/48-I, ECIR. The Bharatpur State informed that the rolls were prepared in this State just after the announcement of popular Ministry. See letter from Bharatpur State, 12 January 1948, *ibid*.

<sup>46</sup> Letter from the Secretary to the Government of Travancore to the Secretary, Constituent Assembly of India, 29 January 1948, CA/1/FR/48-I, ECIR. In Travancore, a constitution Act of 7 April 1947 set that elections to their legislature should be on the basis of adult franchise. The registration in the State began on 18 August 1947 and was completed

to homes was part of the operation.<sup>47</sup> The letter of the Government of Travancore expanded on the ways local bureaucrats were managed so as to prevent disenfranchisement. For example, for each registration unit two assessors of different communities were appointed in order to avoid communal bias.<sup>48</sup>

The Secretariat of the Constituent Assembly reviewed all the responses. After receiving and considering replies from most of the provinces and states, an 'analytical summary of the views expressed in their letters was prepared and placed for consideration' by the members of the CAS.<sup>49</sup> Ultimately, it was the Travancore plan for implementing adult suffrage that captured the political imagination of the CAS.

In a note to the Constitutional Adviser (CA), B. N. Rau, the Joint Secretary on 16 February 1948, asked that the 'CA may see the letter from the Travancore State ... containing the details of the steps taken by them for the registration of voters on the basis of adult franchise.'<sup>50</sup> On that same day Rau wrote: 'we must thank the Secretary of the Travancore Government for the full and detailed information given in the letter. I should then like [Under Secretary] to *prepare a plan for India as a whole nation* on the lines of the Travancore plan and bring up for discussion.'<sup>51</sup> Within a week this had been done. The Under Secretary added his own note: 'a revised note is placed below. I have drafted it in the form of a memorandum which can be sent to the States and Provinces'.<sup>52</sup>

During the four months of administrative deliberations within the CAS, in the provinces and the states, the question of implementing universal adult franchise was rendered into imagining a joint roll of all adults in the land as equal capable voters. Designing for that electoral roll began laying the groundwork for scaling up both a national polity for India, as well as the notion of procedural equality for its people.

on 16 September 1947. By 12 October 1947 the register of 29.5 lakh (2.95 millions) voters was closed. Upon receiving this letter, the Under Secretary of the CAS asked the Travancore Government for further information and copies of the relevant Acts and forms.

<sup>47</sup> Registration was done on the basis of the house numbers given in the 1941 census, and new buildings were given supplementary numbers. *Ibid.*

<sup>48</sup> *Ibid.*

<sup>49</sup> See Summary note by Brij Bhushan, 19 January 1948, CA/1/FR/48-I, ECIR.

<sup>50</sup> Internal note, 16 February 1948, CA/1/FR/48-I, ECIR.

<sup>51</sup> *Ibid.* (emphasis added). This may throw more light on Robin Jeffrey's comment in his study of the first universal suffrage elections in Travancore in 1948 that 'not surprisingly, the electoral system retained a number of features of the princely legislature'. See Robin Jeffrey, 'The "Kerala Model" and Portents for Indian Politics: Inferences from the First Universal-Suffrage Elections, Travancore, 1948', unpublished paper, p. 17. I thank Robin Jeffrey for sharing his paper with me.

<sup>52</sup> Internal note, 20 February 1948, CA/1/FR/48-I, ECIR.

### ‘A Plan for India as a Whole Nation’

By 15 March 1948 the Joint Secretary of the CAS issued a circular letter to all provinces, states, and convenors of group states containing instructions for the preparation of the draft electoral roll on the basis of adult franchise, and detailed directives for the actual enumeration, requesting that the work be carried out forthwith.<sup>53</sup> The rationale was that ‘it is clearly desirable that the elections for the future Central and Provincial Legislatures (these latter are referred to in the new constitution as State Legislatures) should be completed as early as possible after the new constitution comes into operation’.<sup>54</sup>

The instructions for the compilation of the roll were issued in anticipation of the new constitution. But they were pegged to the draft constitution that was under consideration and were legitimated on that basis. The letter, which ran over six pages, included an introduction, general instructions, and explanations on the nature of the franchise, the order for preparing the rolls, the types of electoral rolls, the form of the electoral roll, directives for the revisions of the rolls, as well as an appendix with the ‘provisions as to the disqualification of electors’, based on articles from the draft constitution. General instructions, the letter stated, ‘have been drawn up partly on the basis of the replies received from the various governments and partly on existing procedures in certain parts of India’.<sup>55</sup>

The instructions set out that every citizen, as defined in article 5 of the draft constitution, of or above 21 years of age who is not disqualified by reason of unsoundness of mind or of non-residence is entitled to registration on the electoral roll. A voter should have a place of residence in the electoral unit for a period of no less than 180 days in the year ending on 31 March 1948.<sup>56</sup>

<sup>53</sup> Letter No. CA/64/RR/47, 15 March 1948, CA/1/FR/48-I, ECIR.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

<sup>56</sup> The appendix to the letter provided a copy of the draft citizenship article, and a definition of the notion of a ‘place of residence’ as set in the draft article in broad terms. For that purpose ‘a person shall be deemed to reside in a place if he sometimes uses it as a sleeping place, and a person shall not be deemed to cease to reside in a place merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the place at any time and has not abandoned his intention of returning’. *Ibid.* (Appendix I). The requirements relating to disqualifications and residence qualifications of voters were based on the provisions of Part II of the Fourth Schedule to the draft constitution (as contained in the Schedules printed on 18 October 1947). These were based on the existing provisions of the Government of India Act, 1935, on the CAS’s assumption that ‘presumably the same provisions would be prescribed by the Electoral Law when enacted under the new Constitution’. See internal note by the Joint

While the qualifications for being a voter were uniform and were based on the draft constitution, the instructions for the preparation of the roll on the ground provided scope for adjustments and flexibility. The instruction letter stated that 'there is no intention to standardise the procedure, but only to indicate the general lines on which the work should proceed. Local variations may be found to be necessary and appropriate modifications may accordingly be made by the Governments concerned.'<sup>57</sup> The language of the roll was left to the discretion of each province and state, as was the method of ascertaining the age of a voter.<sup>58</sup>

At the same time, the elaborated description of the process of enumeration made it very concrete and easy to imagine: 'the registration should be on a house-to-house basis, that is to say, an officer should be deputed to visit each house for the purpose of preparing the register. The registration work may proceed on the basis of the house numbers given in the 1941 census. New buildings in electoral unit may be given supplementary numbers.'<sup>59</sup>

The instructions contrasted the pursuit of universal franchise with the state of franchise until that time:

Under the new constitution there will be no separate electorate for the different communities; but seats will be reserved in certain constituencies ... It is, therefore, not necessary to prepare separate rolls for the different communities: *one composite roll for all communities will suffice* ... It may be pointed out that there will be no special constituencies under the new constitution as there are at present, for women, labour, commerce and industry etc.<sup>60</sup>

An illustrative Form of the Electoral Roll was attached in an appendix. These instructions and the new registration form essentially inverted the logic that underlay the colonial form of representation and principles of devolution.

Secretary, S. N. Mukerjee (note: his name is also sometimes spelt Mukherjee), 11 March 1948, CA/1/FR/48-I, ECIR.

<sup>57</sup> Letter No. CA/64/RR/47, 15 March 1948, CA/1/FR/48-I, ECIR.

<sup>58</sup> During the final discussions on the draft instructions both the Under Secretary and the Joint Secretary agreed that 'a rough-and ready method will have to be adopted for determining the age by the registering authorities'. See Internal note by the Joint Secretary, S. N. Mukerjee, 11 March 1948, CA/1/FR/48-I, ECIR.

<sup>59</sup> Letter No. CA/64/RR/47, 15 March 1948, CA/1/FR/48-I, ECIR.

<sup>60</sup> *Ibid.* (emphasis added). At that time, the draft constitution included provisions of reservations (reserved seats in the legislature) for Muslims, Scheduled Castes, Scheduled Tribes (except the Scheduled Tribes in the autonomous districts of Assam), as well as for Indian Christians in Madras and Bombay. The letter clarified that because it would be necessary to determine whether a candidate for a reserved seat is a voter belonging to one of these communities, the electoral roll should contain a column for this purpose.

Since the work was to be done in anticipation of the new constitution, the letter of instruction explained that for the present, until the constitution and an election law come into force, it would suffice if draft rolls were prepared under executive instructions, which each province and state should issue. Finally, the CAS requested a fortnightly report from all governments, giving details of the progress made and difficulties encountered.

The manner in which the instructions were formulated, in a collaborative consultation, as an exercise in guided democratic political imagination that went down to the smallest technical details, contributed to imbuing the notion and practical implications of universal franchise within the bureaucracy, which had been at the foundation of the colonial edifice. The almost four months of correspondences and consultations about the actual making of the universal franchise between the Secretariat and administrators across the country triggered a democratisation of the bureaucratic imagination. This did not mean that a new democratic bureaucracy simply emerged in India.<sup>61</sup> But this process produced a fundamentally new set of bureaucratic attitudes in relation to the notion and practice of procedural equality for voting. Moreover, devising the instructions for the preparation of electoral rolls on the basis of universal franchise fostered the sense of an administrative capacity for India as a whole nation, as bureaucrats embarked on making possible and practicable for India what was until then considered impossible.

The 15 March 1948 letter of instructions for the preparation of electoral rolls in anticipation of the new constitution constituted a common bureaucratic ground for democratisation on an all-India scale.<sup>62</sup> A day after the letter was issued B. N. Rau wrote a summary note on 'preparation of electoral rolls under the new constitution', which in effect set the instruction letter as a new bureaucratic precedent. Rau wrote in the margins of the note that this 'may be useful, if questions are asked as to what action we have taken'.<sup>63</sup>

<sup>61</sup> Indeed, at the time that some sections of the bureaucracy were dealing with devising instructions and preparing for making the universal franchise, other components of the bureaucracy were engaged in implementing structures and institutions that challenged the democratic path. Among these were, for example, the permit system and the Influx from West Pakistan Control (from 19 July 1948), the Influx from Pakistan both from East and West Pakistan (10 November 1948) and the Evacuee Property negotiations (January 1949).

<sup>62</sup> Along the process of the registration of voters administrators around the country made recurrent reference to 'letter No. CA/64/RR/47, dated 15 March 1948', in correspondences and discussions of questions and problems that arose.

<sup>63</sup> Note by B. N. Rau, 16 March 1948, CA/1/FR/48-I, ECIR.

The 15 March 1948 letter, and Rau's 'useful' note, turned the decisive moment of preparing a plan for the registration of voters on the basis of adult franchise '*for India as a whole nation*' – a task that was in essence revolutionary – into a convention. Subsequent to the process of devising the instructions for the preparation of the electoral roll, the grand abstract notion of the universal franchise became a concrete practicable administrative assignment for bureaucrats. The notion of universal franchise fundamentally went against the grain of the colonial mind.<sup>64</sup> At a stroke, designing the electoral roll for the registration of the entire adult population precipitated the emergence of new democratic dispositions within the bureaucracy and a rupture with its colonial past.

The issuing of executive instructions for the preparation of electoral rolls by the governments of the provinces and the states put into operation the making of the universal franchise, which officials at the local level were tasked with. Over the following months the CAS's instructions were translated into the breadth of the country's local contexts, and became more detailed and tangible. Provincial governments' instructions often spread over half a dozen pages or more, and included appendixes that explained relevant draft constitutional articles and a sample Form of Electoral Roll. They included hypothetical case illustrations, for example, for determining domicile and citizenship of a voter. Most governments sent more than one set of instructions. The first was followed up by clarifications in response to queries from district officers or comments from the CAS. The instructions sent to local level administrators were both in English and the vernacular.

The local instructions often contained a general background statement about the assignment. The Government of the Central Provinces and Berar, for example, wrote to all Deputy Commissioners in the province that: 'The draft Constitution of India is expected to be introduced in the Constituent Assembly in October next ... As the basis of electoral qualification under the future Constitution is likely to be adult suffrage, the work of preparation of the electoral rolls will be a colossal one. The Provincial Government, therefore, desire that the preparation of these rolls should be undertaken forthwith in the districts.'<sup>65</sup> The Reforms Commissioner of Assam wrote with a seriousness of purpose:

<sup>64</sup> This is suggestive of Ann Laura Stoler's discussion of the emergence of dispositions out of a habitus that is rejected. See Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*, Princeton, NJ: Princeton University Press, 2009, pp. 38–40.

<sup>65</sup> Government of the Central Provinces and Berar Legislative Department, Memorandum No. 413/XVIII, 'Preparation of electoral rolls for elections to the future Central and Provincial Legislatures', 13 July 1948 – From Deputy Secretary to Government, Central Provinces and Berar, Legislative Department to All Deputy Commissioners

Government are fully alive to the fact that the task is a colossal one, but, it is expected that it should be tackled with determination and that it will be ungrudgingly carried out expeditiously, so that this Province may keep pace with the others in the matter ... this does not mean that the work should be rushed ... The interest of the Province very largely depends upon the accuracy of the electoral roll, unit by unit, in the preparation of which everyone concerned is expected to give the best of his ability.<sup>66</sup>

One of the first tasks was house numbering, which was prescribed in the form of the electoral roll. Provincial governments adopted the instructions for house numbering suggested at the time by the Census Commissioner.<sup>67</sup> Provincial governments elaborated and explained that house numbering in a village should start from the North-East and end in the South-East.<sup>68</sup> The Reforms Commissioner of Assam suggested

Centrals Provinces and Berar (5 pages), CA/1/FR/48-II, ECIR. Also see Home Department, Constitution and Elections, Memorandum No. 643(2) A.R., 'Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures', from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 22 May 1948, CA/1/FR/48-II, ECIR.

<sup>66</sup> Letter from R. R. Khaund, Reforms Commissioner, Assam to All Deputy Commissioners of Plain Districts, 'Preparation of Draft Electoral Rolls under the new Constitution for Central and Provincial Legislators' (No. L.801/47/83), 3 May 1948, CA/1/FR/48-II, ECIR. Initially, the Government of Assam forwarded the CAS's 15 March letter of instructions to all District Officers asking of them to take immediate steps for the preparation of the draft electoral rolls, and noted that further executive orders will be issued as soon as possible. See letter from Secretary to the Government of Assam in the Legislative Department to All District Officers and Political Officers including Superintendent, Lushai Hills, 'Preparation of electoral rolls under the new Constitution for Central and Provincial legislators', 23 March 1948, CA/1/FR/48-II. A month later they appointed a Reforms Commissioner to take charge of the work. By that time, district officers sent a variety of inquiries and suggestions regarding the preparation of the rolls. The Reforms Commissioner of Assam's instructions addressed the questions they raised.

<sup>67</sup> On 3 April 1948, the Census Commissioner for India sent a memorandum (No. 1316-278-II), to the provincial governments, suggesting that the preparation of the electoral rolls should be conducted along with the house numbering as instructed for the preparatory work on the future census, and that the rolls should be based on the house numbers so prepared. Provincial governments approved that. See, for example, Government of the Central Provinces and Berar Legislative Department, Memorandum No. 413/XVIII, 'Preparation of electoral rolls for elections to the future Central and Provincial Legislatures', 13 July 1948 – From Deputy Secretary to Government, Central Provinces and Berar, Legislative Department to All Deputy Commissioners Centrals Provinces and Berar, CA/1/FR/48-II, ECIR; letter from R. R. Khaund, Reforms Commissioner, Assam to All Deputy Commissioners of Plain Districts, 'Preparation of Draft Electoral Rolls under the new Constitution for Central and Provincial Legislators' (No. L.801/47/83), 3 May 1948, CA/1/FR/48-II, ECIR.

<sup>68</sup> See, for example, letter from R. R. Khaund, Reforms Commissioner, Assam to All District Officers (including Superintendent of Lushai Hills) (No. L.801/47/110), 'Preparation of electoral rolls under the new Constitution for Central and Provincial legislators', 3 May 1948, CA/1/FR/48-II. For similar instructions see Home Department, Constitution and Elections, Memorandum No. 643(2) A.R., 'Preparation of Draft Electoral Rolls for



that: ‘Each house-holder is to be made personally responsible for preservation of the number affixed on the house.’<sup>69</sup> The Government of West Bengal instructed that ‘Numbering should be done in a readily identifiable form’ and that this ‘may be done by etching on wood on the door-piece or on a substantial tree near the house, or by hanging a number-plate made of wood or bamboo or by painting, or in any locally devised form’.<sup>70</sup>

Provincial governments instructed that a senior official, like an assistant to the Deputy Commissioner or a ‘capable Deputy Collector’ should take charge of overseeing the preparation of the rolls and supervise closely the staff engaged in the work.<sup>71</sup> Moreover, the enumerators should be ‘local men of probity who know their area and who are generally respected there’.<sup>72</sup> The instructions specified the staff that should conduct registration of voters and the compilation of the rolls in the rural and urban areas. For example, in the Central Provinces and Berar it was the revenue staff in rural areas and the municipal staff in urban areas, and in East Punjab patwaris and registration muharrirs. Some of the executive instructions depicted the compilation of the roll itself: ‘once the period of registration of names has expired, all the patwaris shall assemble at their tehsil head quarters with the list of each village arranged alphabetically. At the tashsil headquarters the rolls will be compiled zailwise. Within each zail

Elections to the Lower Houses of the Central and Provincial Legislatures’, from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 22 May 1948, CA/1/FR/48-II, ECIR.

<sup>69</sup> Letter from R. R. Khaund, Reforms Commissioner, Assam to All District Officers (including Superintendent of Lushai Hills and Political Officers Balipara Frontier Tract) (No. L.801/47), ‘Preparation of electoral rolls under the new Constitution for Central and Provincial legislators’, 28 May 1948, CA/1/FR/48-II.

<sup>70</sup> Government of West Bengal Home Department (Constitution and Elections), Memo. No. 780(2) A.R., ‘Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures’, from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 26 June 1948, CA/1/FR/48-II, ECIR.

<sup>71</sup> Home Department, Constitution and Elections, Memorandum No. 643(2) A.R., ‘Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures’, from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 22 May 1948, CA/1/FR/48-II, ECIR; Government of the Central Provinces and Berar Legislative Department, Memorandum No. 413/XVIII, ‘Preparation of electoral rolls for elections to the future Central and Provincial Legislatures’, 13 July 1948 – from Deputy Secretary to Government, Central Provinces and Berar, Legislative Department to All Deputy Commissioners Central Provinces and Berar, CA/1/FR/48-II, ECIR.

<sup>72</sup> Government of West Bengal Home Department (Constitution and Elections), Memo. No. 780(2) A.R., ‘Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures’, from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 26 June 1948, CA/1/FR/48-II, ECIR.

the villages should be arranged alphabetically'.<sup>73</sup> In urban areas the registration officials were instructed to 'go through every street systematically and make inquiries from house to house'.<sup>74</sup> The Central Provinces and Berar government clarified that 'Where there are more than adult persons than one in a house the names of all such persons should come one after another and the entry pertaining to the succeeding house number should follow after all such names'.<sup>75</sup>

Governments' instructions also described in detail how, for example, the names of voters should be arranged; what should be the unit for the preparation of the rolls – mainly village in rural areas and by ward in urban areas; and where and how essential stationery materials should be purchased. The West Bengal Government, for example, wrote that they requested of 'the Deputy Controller, Stationery', paper 'at the rate of 5 sheets half-foolscap for every 10 voters'.<sup>76</sup> Officials were asked to spell names of voters accurately, make sure the lists were legible and written neatly, in ink and on one side of paper. Moreover, governments' instructions provided very detailed technical explanations for each item on the form of the electoral roll, and for how to work out the residential and citizenship qualifications for enrolment. They also set the language of the rolls, and gave directives for the compilations of fortnightly reports on the progress of the work.<sup>77</sup>

<sup>73</sup> 'Instructions for the Preparation of Draft Electoral Rolls, 1948–49' (16 pages), attached to letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 12 August 1948, CA/1/FR/48-II, ECIR.

<sup>74</sup> Ibid.

<sup>75</sup> Government of the Central Provinces and Berar Legislative Department, Memorandum No. 413/XVIII, 'Preparation of electoral rolls for elections to the future Central and Provincial Legislatures', 13 July 1948 – from Deputy Secretary to Government, Central Provinces and Berar, Legislative Department to All Deputy Commissioners Centrals Provinces and Berar, CA/1/FR/48-II, ECIR.

<sup>76</sup> Government of West Bengal Home Department (Constitution and Elections), Memo. No. 780(2) A.R., 'Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures', from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 26 June 1948, CA/1/FR/48-II, ECIR.

<sup>77</sup> In Assam, for example, Assamese was prescribed for the Assam Valley Districts and Assamese in addition to Bengali in the Cachar District. See letter from R. R. Khaund, Reforms Commissioner, Assam to All Deputy Commissioners of Plain Districts, 'Preparation of Draft Electoral Rolls under the new Constitution for Central and Provincial Legislatures' (No. L.801/47/83), 3 May 1948, CA/1/FR/48-II, ECIR. The West Bengal government instructed to prepare the rolls in Bengali, except for Calcutta and Darjeeling, where they were to be prepared in English. See Home Department, Constitution and Elections, Memorandum No. 643(2) A.R., 'Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures', from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 22 May 1948, CA/1/FR/48-II, ECIR. In East Punjab, 'Three lac form of applications have been printed in Urdu, Hindi

The method of ascertaining the age of a voter was left to the discretion of each province and state. This was one of the expected challenges that arose in the process of the devising of the instructions. Governments suggested, for example, that a 'school certificate or a municipal certificate of birth or horoscope should be taken to be sufficient proof',<sup>78</sup> or checking birth registers at police stations and kotwar's books.<sup>79</sup> In Assam, one district officer suggested to 'intelligently frame' a questionnaire on historically important local and national events for each area, such as 'the floods of 1927, the freedom movement of 1930', and to ascertain the age qualification of voters by their ability to recall such events. The Reforms Commissioner of Assam's view, however, was that this method could not be applied in all cases, though it may be 'adopted to suit local conditions'. He suggested 'to leave this point for the district officers to decide for themselves as to the best method to be adopted to meet the need of each area'.<sup>80</sup> He anticipated, in particular, a difficulty in verifying the age of female voters. In case of doubt, and for the registration of 'purdahnashin' women he prescribed, on the basis of Rule 15 of Part I of the Assam Legislative Assembly Electoral Rules, 1936, a form for age certificate.<sup>81</sup>

Provincial governments noted the importance of the cooperation of the public for the success of the work. They asked that registering officials inform people in the village or ward about their planned visit to register names in that area a few days beforehand, and to come at a time people are likely to be home. Thus, muharrirs in East Punjab were instructed 'to make their house-to-house visits before 10 a.m. and from 4 p.m. to

and Gurmukhi.' Letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 'Preparation of Draft Electoral Rolls under the New Constitution, 21 June 1948, CA/1/FR/48-II, ECIR.

<sup>78</sup> 'Instructions for the Preparation of Draft Electoral Rolls, 1948-49', attached to letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 12 August 1948, CA/1/FR/48-II, ECIR.

<sup>79</sup> Government of the Central Provinces and Berar Legislative Department, Memorandum No. 413/XVIII, 'Preparation of electoral rolls for elections to the future Central and Provincial Legislatures', 13 July 1948 - from Deputy Secretary to Government, Central Provinces and Berar, Legislative Department to All Deputy Commissioners Centrals Provinces and Berar, CA/1/FR/48-II, ECIR. The government instructed that supervising officers should do percentage checking from birth registers at police stations and kotwar's books to find out if in each village or ward all persons eligible for registration have been rightly entered in the roll.

<sup>80</sup> Letter from R. R. Khaund, Reforms Commissioner, Assam to All Deputy Commissioners of Plain Districts, 'Preparation of Draft Electoral Rolls under the new Constitution for Central and Provincial Legislators' (No. L.801/47/83), 3 May 1948, CA/1/FR/48-II, ECIR.

<sup>81</sup> Purdahnashin means: women who observed rigid rules of seclusion. The certificate was to be signed by a government officer, or by a Mauzadar, or by the Sarpanch. See *ibid*.

7 p.m. During the day between 12 noon and 4 p.m. muharrirs and supervisors should be required to meet ... in order to exchange notes to avoid multiple entries of one name'.<sup>82</sup> An illustration was provided for that procedure: 'Roshan lives in the Civil Station of Amritsar and also has a place of residence in Karmon Deorhi, which he may be using occasionally as his residence.' His name is thus likely to be entered in both places. 'When these muharrirs meet as suggested above and compare entries, they are bound to discover this.'<sup>83</sup> The Government of West Bengal suggested that enumerators may 'convene village or ward gathering, where the work can be explained and discussed, and data gathered for insertion in the Rolls', and that this may be completed by visiting individual houses.<sup>84</sup>

Local governments instructed to ensure wide and local publicity to the work of the preparation of electoral rolls. They asked officials to do so through press communiqués in the vernacular, or by other means.<sup>85</sup> For example, the East Punjab Government sent a copy of a press notice that announced the preparation of electoral rolls to the Director General of Public Relations 'for its adaptation for other means of publicity, such as Cinematograph slides, Radio, etc.'<sup>86</sup> It was only with respect to the need to publicise the work that sometimes the plain administrative prose of the instructions was cut through by the sense of the gravity of the operations. 'For the first time', the Government of West Bengal stated, 'and under conditions of full self-government adult franchise is being worked out in the country. It is essential that everyone should come to know of this valuable political right which each adult wields.'<sup>87</sup>

<sup>82</sup> 'Instructions for the Preparation of Draft Electoral Rolls, 1948–49', attached to letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 12 August 1948, CA/1/FR/48-II, ECIR.

<sup>83</sup> *Ibid.*

<sup>84</sup> Government of West Bengal Home Department (Constitution and Elections), Memo. No. 780(2) A.R., 'Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures', from Joint Secretary to the Government of West Bengal to the Commissioner Burdwan/Presidency Division, Calcutta, 26 June 1948, CA/1/FR/48-II, ECIR.

<sup>85</sup> See, for example, Government of the Central Provinces and Berar Legislative Department, Memorandum No. 413/XVIII, 'Preparation of electoral rolls for elections to the future Central and Provincial Legislatures', 13 July 1948 – from Deputy Secretary to Government, Central Provinces and Berar, Legislative Department to All Deputy Commissioners Centrals Provinces and Berar, CA/1/FR/48-II, ECIR; letter from R. R. Khaund, Reforms Commissioner, Assam to All Deputy Commissioners of Plain Districts, 'Preparation of Draft Electoral Rolls under the new Constitution for Central and Provincial Legislators' (No. L.801/47/83), 3 May 1948, CA/1/FR/48-II, ECIR.

<sup>86</sup> Letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 'Preparation of Draft Electoral Rolls under the New Constitution, 21 June 1948, CA/1/FR/48-II, ECIR.

<sup>87</sup> Home Department, Constitution and Elections, Memorandum No. 643(2) A.R., 'Preparation of Draft Electoral Rolls for Elections to the Lower Houses of the Central and Provincial Legislatures', from Joint Secretary to the Government of West Bengal to

Local instructions sometimes deviated from the CAS's guidelines, or were phrased in ways that were open to interpretation and potential breaches in the registration of all adults. Some governments made changes to the form that the CAS devised. For example, the Government of East Punjab added a column for occupation and omitted the column for house number and address. Some governments dwelled on colonial rules, for example, the age certificate form for women whose age was in doubt. Indeed, not every bureaucrat that was obstructionist in the 1930s suddenly turned into a non-obstructionist in 1947–1949. Once the registration started, distinct forms of exclusionary practices emerged among administrators on the ground. But, as the following chapters will show, the CAS and various citizen and social organisations took measures against such attempts on the basis of new parameters of governance, based on procedural equality, set by the universal franchise. The CAS unwearingly oversaw local governments' instruction and their work on the ground, and redressed the breaches that came to its attention.<sup>88</sup>

Once the actual registration of voters started in anticipation of the constitution, the making of democracy on the ground sometimes outpaced the deliberative process of constitution making. The motion on the preparation of the electoral roll on the basis of universal franchise came up for discussion before the Constituent Assembly for the first time only in January 1949, when much of the preliminary work was already well under way.<sup>89</sup>

The democratic shift that took place in the bureaucratic bent and imagination could be illustrated, by looking briefly at the different attitudes and practices that were devised by colonial administrators while addressing the challenge of enrolling women and other groups at the margins of society during the expansion of the franchise in the 1930s. In particular, the next section looks at problems associated with the enlistment of women, which arose both in 1935 and in 1948–1949, but that was dealt with completely differently.

the Commissioner Burdwan/Presidency Division, Calcutta, 22 May 1948, CA/1/FR/48-II, ECIR.

<sup>88</sup> On 31 July 1948 the CAS asked of the provincial governments for copies of Provincial instructions in English. See letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 12 August 1948, CA/1/FR/48-II, ECIR.

<sup>89</sup> The aim of the motion was 'that instructions be issued forth with to the authorities concerned for the preparation of electoral rolls'. See 'Motion Re Preparation of Electoral Rolls', *Constituent Assembly Debates* (hereafter *CAD*), 8 January 1949, (available at <http://parliamentofindia.nic.in/ls/debates/debates.htm>, accessed 28 June 2017). Members of the Assembly were informed during the discussion that the CAS under the direction of the President had 'already taken certain steps for the purpose'. *Ibid.*

### Rewriting the Bureaucratic Colonial Imagination

In discussions on the expansion of the franchise in the early 1930s, provincial franchise committees regarded universal adult suffrage 'to be impracticable at present', in particular 'for administrative reasons'.<sup>90</sup> Colonial administrators' lack of imagination, or rather pursuit of bureaucratic expediency, went so far as to suggest that 'the size of the electorate should be determined by the number of polling officers available'.<sup>91</sup> There was an admission that

the difficulties relate, in our opinion, not to the incapacity of the voter to exercise his new power, nor to the inability of the candidate to handle a large electorate; but mainly to the administrative difficulty of enabling a large mass of the population to record its vote in a fair and satisfactory manner ... But by far the most disturbing factor which makes the problem bristle with difficulties at the present moment is due to the colossal illiteracy of the people.<sup>92</sup>

When colonial administrators were asked ahead of the enactment of the Government of India Act, 1935 to make the leap in the expansion of franchise for elections to the Provincial legislatures from an electorate of approximately seven million to just under 32 million, they still expressed scepticism in some of the provinces, and found the work envisioned by that expansion of the franchise impossible or impracticable. But unlike the idea of universal suffrage, this modest expansion was thought to be 'generally administratively feasible'.<sup>93</sup>

<sup>90</sup> Reports of the United Provinces Government and Provincial Committee, 1932, IOR/Q/IFC/61, IOC. Also see Joint Secretaries' Notes, 1932, IOR/Q/IFC/88, IOC, 'Summary of Indian Franchise Report' (Presented to Parliament, 2 June 1932), L/I/1/607, IOC, and Reginald Coupland, *The Indian Problem 1833–1935: Report on the Constitutional Problem in India*. Part 1. London: Oxford University Press (Third Imprint), 1943, p. 129.

<sup>91</sup> Reports of the United Provinces Government and Provincial Committee, 1932, IOR/Q/IFC/61, IOC.

<sup>92</sup> Quoted from the Franchise Sub-Committee of the Round Table Conference in a letter to Lothian, 29 December 1931 in Joint Secretaries' Notes, 1932, IOR/Q/IFC/88, IOC. The Franchise (Lothian) Committee adopted this view. It rejected adult franchise as 'being immediately impracticable' on the grounds of, first, 'shortage of suitable electoral personnel, of police, of women officials necessary for dealing with the Purdah system and so on'. Second, the conditions of illiteracy 'coupled with the rudimentary stage which the organisation of political parties has reached make it undesirable at present'. See 'Summary of Indian Franchise Report' (presented to Parliament, 2 June 1932), L/I/1/607, IOC. For an excellent discussion on the way administrative and financial needs shaped devolution see Eleanor Newbigin, *The Hindu Family and the Emergence of Modern India. Law Citizenship and Community*. Cambridge: Cambridge University Press, 2013, pp. 110–27.

<sup>93</sup> Note by John Kerr, 16 October 1933, IOR/L/PJ/9/175, IOC. The expansion of the franchise was suggested on the basis of the recommendations of the white paper (and the Lothian Franchise Committee). Originally the expansion of franchise was planned to be ca. 36 million.

More fundamentally, the concept of an electoral roll that would bind all adults together as equal individuals was anathema to colonial administrators. They designed voter lists and registration forms that divided the electorate into at least three types of constituencies: general, European and Mohammadan. It contained qualifications such as 'Husband pays income tax, literacy'; and it included a 'Special provision regarding names of women'.<sup>94</sup> Indeed, the intention at the time to expand the franchise for women turned out to be a particularly difficult assignment for colonial bureaucrats.

The Government of India Bill, 1935 based on the White Paper and the Indian Franchise Committee envisioned, as part of the expansion of the franchise a growth of the female electorate. The Joint Parliamentary Select Committee was anxious that there should be a substantial increase in the number of women enfranchised.<sup>95</sup> But some provincial governments and administrators were at odds with that task. Early in the discussions of the 1935 constitution, the Government of Bihar and Orissa, for example, attempted to reduce the size of the electorate, and to disenfranchise women. The government had qualifications dependent on taxation for the right of franchise. They argued for an increase in the 'anna franchise' (from 9 to 12 anna), and even demanded a rupee franchise.<sup>96</sup> The Bihar and Orissa government threatened that otherwise there would be no guarantee that 'elections will be carried out with success and without grave disorder'.<sup>97</sup>

Already in 1933 Sir John Kerr, the Deputy Chairman of the Indian Franchise Committee, observed that some provinces, in particular

<sup>94</sup> See, for example, Assam, Reforms Officer, Assam Legislative Council electoral (preparation, revision, and publication of electoral rolls) rules, 23 May 1936, IOR/V/27/111/10, IOC.

<sup>95</sup> See letter from Reforms Officer United Provinces to All District Officers United Province, 8 April 1935, IOR/L/PJ/9/153, IOC. Women in Britain obtained the franchise in 1928. For scholarship on women and political enfranchisement under colonialism see Jana Everett, *Women and Social Change in India*, New Delhi: Heritage, 1981, pp. 101–40, "All the Women Were Hindus and All the Muslims Were Men": State, Identity Politics and Gender', *Economic and Political Weekly* 36 no. 23, 2001, pp. 2071–80; Geraldine Forbes, *Women in Modern India*, Cambridge: Cambridge University Press, 1996; Mrinalini Sinha, 'Suffragism and Internationalism: The Enfranchisement of British and India Women under an Imperial State', *Indian Economic and Social History Review* 36, no. 4, 1999, pp. 461–84; Sinha, *Specters of Mother India: The Global Restructuring of an Empire*, Durham: Duke University Press, 2006; Wendy Singer, *A Constituency Suitable for Ladies and Other Social Histories of Indian Elections*. New Delhi: Oxford University Press, 2007, pp. 30–52.

<sup>96</sup> This was in reference to qualifications dependent on taxation for the right of franchise. Increasing the tax sum of the franchise requirement would thus reduce the number of voters.

<sup>97</sup> Note by John Kerr, 16 October 1933, IOR/L/PJ/9/175, IOC.

Punjab, Assam, Bihar, and Orissa, were ‘really after a reduction of the number of women votes’.<sup>98</sup> He explained that the landed oligarchy in the Legislative Council, who strengthened its power since the reforms of 1920, ‘are now doing all they can to keep the franchise qualification for the tenant class as high as possible, and they are supported by the official element in the Government’.<sup>99</sup> The Government of Assam wrote that ‘they have already gone farther in extension of franchise [for women] than they really think is safe’.<sup>100</sup>

Moreover, various Reforms Officers in the provinces demanded to prescribe by local rules how ‘their’ women should be treated. The Government of Bihar and Orissa, for example, was of the view that ‘a woman’s name should be removed from the electoral roll if she is divorced, or if her husband dies or loses his property’.<sup>101</sup> Indeed, a key criterion for franchise was property ownership. But when colonial administrators encountered a community where women generally held property they saw this as a pretext for an exception. Thus, at a conference of Reforms Officers in March 1935 in Delhi it was noted that ‘A difficulty arises in the Khasi Hills where the Matriarchal system prevails, property being in the name of women, who will therefore have to appear on the roll. But since they do not ordinarily exercise any public function they will require to nominate some person to exercise the vote’.<sup>102</sup>

Another issue was the question of application for enrolment in relation to women.<sup>103</sup> After prolonged correspondences on the matter the Secretary of State ultimately agreed that in effect the provinces would make their own rules over women’s registration.<sup>104</sup> Thus, the governments

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

<sup>100</sup> Letter from the Chief Secretary to the Government of Assam to the Secretary of State for India, 23 May 1935, in ‘Public and Judicial Constitutional Series P& J(C) 3838 Franchise proposals for women in the White Paper: views of local governments’, October 1933–June 1935, IOR/L/PJ/9/141, IOC. On similar attitudes towards the question of women’s franchise in the run-up to the constitutional reforms of 1919 see Forbes, *Women in Modern India*, pp. 93–100. The 1919 Act allowed for the provincial legislatures to decide over the question of women’s suffrage. See Everett, “All the Women Were Hindus and All the Muslims Were Men”, p. 2072.

<sup>101</sup> ‘Public and Judicial Constitutional Series P& J(C) 4763/Part IV Franchise Schedules’, letter from Secretary to Government of Bihar and Orissa Reform Department to the Secretary to the Government of India Reform Department, 7 April 1935, IOR/L/PJ/9/175, IOC.

<sup>102</sup> ‘Proceedings of the Conference of Reforms Officers held in New Delhi on 5 to 7 March 1935’, IOR/M/1/19, IOC.

<sup>103</sup> According to the ‘provisions as to franchise’ in the 1935 Act, under certain qualifications for being a voter a person could be enrolled only by applications even if she/he fulfilled the qualifying criteria. Women were to be registered only on an application.

<sup>104</sup> ‘Public and Judicial Constitutional Series P& J(C) 4763/Part IV Franchise Schedules’, letter of 29 April 1935, IOR/L/PJ/9/175, IOC.



of Bengal, and Bihar and Orissa did not prescribe application requirement for women. In the United Provinces and Central Provinces applications by women were required ‘in respect only of the qualification arising from (a) literacy (b) being the pensioned widow or mother of a soldier; or (c) being the wife of an ex-soldier or policeman’.<sup>105</sup> The Madras, Bombay and Assam governments required applications from women for all purposes. Governments of the provinces recognised that the application requirement would have the effect of reducing the number of women enfranchised.<sup>106</sup>

The actual enrolment of women became a particularly contested matter. Officials in some provinces suggested that ‘the recording of women’s names present peculiar difficulties’, and ‘is in any case a matter of difficulty and delicacy and every care must be taken to avoid causing offence’.<sup>107</sup> The problem was that women refused to be registered under their own names. It was ultimately agreed that ‘if a difficulty is experienced in finding out the names to be entered, there is no objection to entering a woman as the wife of “A B C”’,<sup>108</sup> rather than being a free enfranchised individual. An illustrative form for such a case was attached to the letters for the District Officers.<sup>109</sup> Eventually, electoral rules for the preparation of electoral rolls in the provinces included particular provisions regarding the registration of women, such as: ‘Where for social or religious reasons there is an objection to the entry of the actual name of a woman in any electoral roll such women may be entered in the roll as “the wife of A. B. (husband’s name)” or, if she is unmarried, as “the daughter of A. B. (father’s name)”’.<sup>110</sup>

<sup>105</sup> ‘Public and Judicial Constitutional Series P&J(C) 3838 Franchise proposals for women in the White Paper: views of local governments, October 1933–June 1935’, letter from the Chief Secretary to the Government of the United Provinces to the Secretary of State for India, 23 May 1935, IOR/L/PJ/9/141, IOC.

<sup>106</sup> Thus, the Chief Secretary to the Government of the United Provinces admitted that ‘in this province objection to abandonment of the application requirement due in [the] main to administrative and financial difficulties’. *Ibid.*

<sup>107</sup> Letter from the Reforms Officer of the United Provinces to all District Officers in the Province, 8 April 1935, IOR/L/PJ/9/153, IOC.

<sup>108</sup> *Ibid.*

<sup>109</sup> *Ibid.* Also see, for example, reference to the registration of female as a ‘Wife of A.B.C.’ in Telegram from Secretary of State to Government of India, Reforms Department, 14 March 1934, (P.&J. (C) 4213/34, IOR L/PJ/9/175, IOC.

<sup>110</sup> ‘Assam Legislative Council Electoral (Preparation, Revision and Publication of Electoral Rolls) Rules, 23 May 1936’, IOR/V/27/111/10, IOC. As another example: ‘Preparation of Electoral Rolls’ (circular letter from Reform Officer United Province to all District Officer), 8 April 1935, IOR/L/PJ/9/153, IOC. Female voters were also registered as a ‘widow of’. See ‘Bombay Political and Reforms Department, Bombay Legislative Assembly electoral (preparation, revision and publication of electoral rolls) rules 1936’, IOR/V/27/111/22, IOC.

Having to address the issue of women's franchise the colonial Government of India insisted that the matter of increasing the number of women on the register was 'intimately connected with the administrative feasibility of registering and polling larger numbers'.<sup>111</sup> But it really chose to shirk responsibility for that problem. The Government of India wrote to the Secretary of State for India: 'At the same time of second election this matter will concern responsible Provincial Governments not under your control. It would seem to be inappropriate now to determine finally what their administrative capacity will be, without giving them an opportunity of expressing their opinion.'<sup>112</sup>

From September 1947 to March 1948, during the process of devising instructions for the preparation of the electoral roll on the basis of adult franchise, not a single difficulty, administrative or otherwise, was envisioned in relation to the enrolment of women.<sup>113</sup> In fact, no doubts were expressed about the practicability of adult franchise at that time. However, a few months after the work on the preparation of the draft electoral roll began in 1948, several District Officers, for example, in the United Provinces, reported that 'difficulty is being experienced in ascertaining the names of lady voters who were unwilling to give out their names', and that 'they wish to be recorded as "wife of", "daughter of", "widow of", etc. of a male member of their family'.<sup>114</sup> Some District Officers did so. At this time, the United Provinces Government issued a letter to all District Officers to let them know that the difficulty with women electors was experienced in other districts. Contrary to earlier colonial practices, the Government made it clear that the practice of registering female voters as 'wife of' was not permissible, and

<sup>111</sup> Telegram from Government of India Reforms Department to Secretary State for India, 22 May 1935, IOR/L/PJ/9/141, IOC.

<sup>112</sup> Ibid.

<sup>113</sup> In fact, later on when provincial governments began issuing their executive instructions, the East Punjab government instructed explicitly that 'The actual name of a woman must be entered in the roll.' See 'Instructions for the Preparation of Draft Electoral Rolls, 1948-49' (16 pages), attached to letter from M. R. Bhide, Election Commissioner East Punjab to CAS, 12 August 1948, CA/1/FR/48-II, ECIR. The Government of the United Provinces instructed that 'No separate forms of electoral rolls for female voters are necessary.' See letter no. 1935/XVII-173/48 from M. K. Kidwai, Additional Deputy Secretary to the Government of the United Provinces to All District Officers, United Provinces, 11 August 1948, CA/1/FR/48-II, ECIR. Only the Reforms Commissioner of Assam anticipated difficulty in verifying the age of female voters. See n. 81 above.

<sup>114</sup> Fortnightly reports of progress of work in the preparation of electoral rolls from Government of the United Provinces, 1 October 1948, CA/1/FR/48-III, ECIR; Fortnightly report of progress of work in the preparation of electoral rolls for the fortnights ending 15 October 1948 and 30 October 1948, from the Additional Deputy Secretary to Government of the United Provinces, M. K. Kidwai, to CAS, 10 December 1948, CA/1/FR/48-IV, ECIR.

that they were to be registered as individual voters. It directed them to start propaganda work to encourage women to register by their names, suggesting that in addition to giving wide publicity through the press, 'platforms or beat of drums ... you may enlist women workers for the purpose'.<sup>115</sup>

The Government also issued a press communiqué declaring that after a very careful consideration it decided that names of female voters must be given in the draft electoral rolls. The press note encouraged the public to cooperate in giving names of women voters so as to avoid disenfranchisement. Addressing the people, the government explained:

The introduction of adult franchise is intended to confer on every adult, male or female, a right to participate in the establishment of a fully democratic system of Government in the country and the provincial Government is therefore anxious that the electoral Rolls are correctly prepared and no adult, male or female, is as far as possible left unrecorded in the Electoral Rolls.<sup>116</sup>

In contrast, in the 1930s colonial administrators made calculated efforts to reduce the size of the electorate. Thus, in August 1935, the Joint Secretary to the Government of India, Reforms Office, wrote with concern to the Bihar and Orissa government that it came to his notice that 'the number of persons entered on the rolls falls very considerably short of the numbers contemplated by the Indian Franchise Committee'.<sup>117</sup> The Bihar and Orissa government replied that, indeed, 'the total number of actual electors shows a net decrease of 1,118,511; *but then of course such a decrease was intentional, and the franchise was raised with the express purpose of producing a smaller electorate than the unmanageable one proposed*

<sup>115</sup> Letter from the Additional Deputy Secretary United Provinces Government to the District Officer of Agra, 19 November 1948, CA/1/FR/48-IV, ECIR. The letter stated, 'Copy forwarded to all District Officers in the Province'.

<sup>116</sup> Press Communiqué, Government of the United Provinces, 19 November 1948, CA/1/FR/48-IV, ECIR. It is noteworthy that despite these efforts a large number of women did not re-register as individuals, using their own name, and their initial enrolment as 'Wife of', etc., remained on the final rolls. The Chief Election Commissioner of India at the time, Sukumar Sen, estimated that 'out of a total of nearly 80 million women voters in the country, nearly 2.8 million eventually failed to disclose their name, and the entries relating to them had to be deleted from the rolls'. Election Commission of India, *Report on the First General Election in India*, p. 73. The issue came before Sen before the elections, and he confirmed the decision taken on that matter by the CAS three years earlier that such registration was not permissible. 'Referring to the problem of those ladies whose names could not be enrolled properly in the voters list', on the eve of the first elections, 'Shri Sen assured that their names would be enrolled during the next elections of the country.' Directorate of Public Relations, Government of Rajasthan, press release following a press conference with Sukumar Sen at Bharatpur, 9 October 1951, 5/7/51-Elec, ECIR.

<sup>117</sup> Letter from the Joint Secretary to Government of India Reforms Office to Government of Bihar and Orissa Reform Department, 30 August 1935, IOR/L/PJ/9/175, IOC.

by the *Lothian Committee*'.<sup>118</sup> The Committee recommended the enfranchisement of 350,000 women. At first, the Bihar and Orissa Government estimated enrolment of only 54,976, and ultimately 232,140 women. The government explained that the lower numbers of enrolled women were 'simply due to the fact that women do not wish to have their names enrolled ... In many cases the husbands refuse to have them enrolled even as "wife of"'.<sup>119</sup> In other provinces, too, the electorate was ultimately lower than anticipated.<sup>120</sup>

Moreover, colonial administrators avoided publicising their efforts, which certainly did not contribute to the successful expansion of the franchise. Several secret memorandums instructed Reforms and District Officers that until the bill was approved in Parliament and received Royal Assent, action had to be taken 'as a matter of administrative routine and with the minimum of publicity for the preparation of a *provisional roll*'.<sup>121</sup> The Government of India was explicitly asked 'to avoid any communique if possible and to deal with matters entirely informally'.<sup>122</sup>

In stark contrast, from 1948 onwards, publicity of the preparatory work of the electoral roll became a prominent principle and a common practice. Paradoxically, the CAS did so by drawing on the same bureaucratic colonial precedent, but with an inverted mind-set. The Joint Secretary of the Constituent Assembly wrote at the outset of the operation that 'electoral rolls cannot be compiled without statutory authority. All that we can do now is *to compile them in anticipation of such statutory authority*, so that the draft rolls may be ready by the time the new Constitution and electoral law thereunder are passed'.<sup>123</sup>

<sup>118</sup> Letter from the Government of Bihar and Orissa Reform Department to the Joint Secretary to Government of India Reforms Office, 4 September 1935, IOR/L/PJ/9/175, IOC (emphasis added).

<sup>119</sup> Ibid.

<sup>120</sup> In the United Province the total electorate reached 4,842,617, which came to just 11% of the population. The Indian Franchise Committee envisioned an electorate of 13.5%, 6.5 million, out of which 1.5 million women. Only 520,000 women were ultimately enrolled. See Election reports: United Provinces and North-West Frontier Province, 5 August 1937–29 September 1937, IOR/L/PJ/7/1319, IOC. In the 1952 first general elections in independent India the size of the electorate in Uttar Pradesh (formerly the United Provinces) was 31,770,309. See New Delhi: Election Commission of India, *Key Highlights of General Elections, 1951 to the First Lok Sabha*, New Delhi: Election Commission of India, p. 4.

<sup>121</sup> Letter of 18 April 1935, IOR/L/PJ/9/153, IOC (emphasis in the original). Also see 'Memorandum on delimitation and connected questions from India Office, 10 August 1934', IOR/L/PJ/9/175, IOC.

<sup>122</sup> Telegram from the Secretary of State to the Government of India, 24 May 1935, IOR/M/1/19, IOC. The 1935 Act received a Royal Assent on 4 August 1935. It came to force from 1 April 1937.

<sup>123</sup> Internal note by the Joint Secretary of CAS, S. N. Mukerjee, 11 March 1948, CA/1/FR/48-I, ECIR (emphasis added). As for the instructions, 'presumably', the Joint

The notion of conferring the right to vote and bringing women genuinely onto the electoral roll was beyond the purview of the bureaucratic colonial imagination. It was, also, consistent with the colonial government's lack of faith in India's illiterate masses and their negative attitudes towards enfranchisement of people at the margins of the then franchise, such as the poor and rural, illiterate people. Thus, when it came to considering electoral matters and franchise in 'Backward Areas and Tribes', some provincial governments, like Bihar and Orissa, suggested that the seats be filled by nomination rather than election 'because [of] the danger of introducing the election ferment among the excitable population of the Khondmals'.<sup>124</sup> The Reform Commissioner to the Government of India remarked that 'nomination should be resorted to only in the absence of any alternative. In the case of Khondmals, however, no alternative seemed to exist'.<sup>125</sup>

As another example, some provinces used coloured ballot boxes to enable rural illiterate people to vote. Each representative would be identified with a different colour. But in 1936 the United Province Government decided not to implement this. Instead, it devised a rule whereby local administrators, the presiding officer, or what they called, a 'literate friend', marked the ballot papers on behalf of illiterate voters. In response to an inquiry from the House of Commons in the matter, the United Province Government wrote that 'many illiterate persons have little sense of colour, with the result that many voters might find themselves bewildered in polling booths and might record their vote for a candidate they do not wish to support'.<sup>126</sup> It is noteworthy that during oral evidence before the Indian Delimitation Committee in 1935 some members of the Scheduled Castes stated that they 'preferred the coloured box system to a system of marked voting paper, since under the other method everybody would know that the scheduled caste voter had voted'.<sup>127</sup>

Secretary commented, 'the same provisions would be prescribed by the electoral law when enacted under the new constitution.' *Ibid.* In a note on the subject B. N. Rau wrote: 'We are proceeding on the assumption that the age qualification ... and the qualifications for enrolment ... will not be materially different from the existing provisions ... For the time being, only draft rolls will be prepared under executive instruction.' See Note by B. N. Rau, 16 March 1948, *ibid.*

<sup>124</sup> Proceedings of the Conference of Reforms Officers held in New Delhi on 5 to 7 March 1935, IOR/M/1/19, IOC.

<sup>125</sup> *Ibid.*

<sup>126</sup> Telegram, 13 December 1936, IOR/L/PJ/9/257, IOC. The United Provinces Government explained that their practice of marking the paper on behalf of the voter was adopted on recommendation of the Hammond Committee (The Indian Delimitation Committee, 1936), paragraph 740.

<sup>127</sup> Oral evidence given before the Indian Delimitation Committee (evidence by Rev. B Das (Scheduled Castes)), Ranchi, 19 October 1935, Nehru Memorial and Museum Library (NMML), New Delhi.

As the following chapters will show, it was in relation to the task of enfranchising those at the margins of society – the subalterns – that the implications of the preparation for the first draft electoral roll on the basis of universal franchise for cultivating democratic dispositions among administrators, and for the rewriting of the bureaucratic colonial imagination was most strikingly demonstrated.

### **Conclusion**

As a first step in devising the instructions for the preparation of the electoral rolls on the basis of full adult franchise the CAS consciously sought to break with colonial practices of enumeration. The correspondences and consultations about an action plan for preparing an electoral roll brought administrators around the country on board in the making of the universal franchise, and created a stake for them in the process. The universality of the franchise was not subject to question. It was posited as a premise. In the all-India exercise in guided democratic imagination administrators were not asked to submit their opinion on the merits or practicality of the idea of the rule of the people. They were asked to establish the institutional infrastructure in support of the notion that sovereignty resides with the people. That collaborative exercise in pursuit of creating a register of people that were bound together as equal citizens for the purpose of authorising their government also rendered existent the idea of ‘the people’.

The bureaucrats who were asked to plan for and manage that new all-India project took part in setting a foundational bureaucratic precedent. It was new in a real sense: neither British bureaucrats, nor any other administration before them, had prepared for the enrolment of such a large electorate. The process of devising the instructions for the electoral roll produced a new form of population knowledge: the enumeration of all adults who have the right to vote. They were the sovereigns of the new state. Metaphorically, this list would represent the recipients of the ‘transfer of power’.

In essence, the instructions provided a template for shaping democratic relations between the new Indian state, its bureaucrats at different levels, and the people. The plan to register voters on the basis of a house-to-house, village-by-village coverage would offer the opportunity for mid to lower level officials and ordinary people to engage with each other and with democratic institution building. This procedure for implementing the universal franchise created occasions for people to ‘meet’, ‘see’ and ‘speak’ with the state through the official representatives who showed up at their door to ensure their right to vote. And the plan for enrolment

broke with prior colonial practices of counting, like the census. Roll making was not meant to simply *count* people for a ‘useful inventory’. The people were also *taken into account* as the sovereigns of the new state.

In the process of devising the procedures for the preparation of the electoral roll, in anticipation of the constitution, the notion of procedural equality was bureaucratised. This experience gradually turned the notion of adult franchise for India’s masses into a convention.

Initially, the design for India’s democracy was still only on paper. It was not inevitable that the paper plan, as imaginative and bold as it was, would match the aspiration of making universal franchise in practice in the midst of the partition, at a moment when the basic question of ‘who is an Indian’ – the basic criterion for being a voter – was undecided and contested. The next chapter explores that first challenge to the making of the universal franchise.