

## **Two and a Half Million New Voters: Demographic Transformation in J&K**

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### **Summary**

*On 17 August 2022, the Chief Electoral Officer of Jammu and Kashmir (J&K) announced the norms for enlisting voters to the J&K Assembly. It was made known that post the abrogation of Article 370 of the Constitution, any 'ordinary' resident of the state could enrol as a voter, as against only 'permanent residents' who had been accorded a voter status earlier. This has permitted, amongst others, an employee, a student, a labourer or anyone from outside living ordinarily in J&K to be a voter. Even army personnel can now register as voters. This announcement adds about 2.5 million new voters to the Union Territory and has evoked a sharp pushback from the political parties in the state.*

On 5 August 2019, the Indian government repealed the statehood and special status accorded to the state of Jammu and Kashmir (J&K) under Article 370 of the Constitution. The former state was split into two Union Territories (UTs). The Centre also scrapped Article 35A, which had ensured special rights and privileges, such as constitutional safety of jobs, land and citizenship, to citizens defined as 'permanent residents' of the state. Article 370 was one of the few contentious issues that altered the political landscape of a whole region. It was to be a temporary provision with full integration being the objective. However, after several decades of conflict and instability in the Kashmir region, the Indian government rendered Article 370 inoperative and further bifurcated J&K into two UTs – Jammu and Ladakh.

This action was followed by granting a domicile certificate to every Indian citizen who has been living in J&K for 15 years. New land laws were also enacted to make all Indian citizens eligible to purchase land in J&K. Before that, outsiders were not eligible to apply for citizenship or buy land. Following these actions, domicile certificates and voting rights have been given to hundreds of thousands of West Pakistan refugees. They have been living in different parts of Jammu for decades.

As per the 2011 Census report, J&K have 2.8 million non-local migrant workers, and 1.4 million have been living in the region for 10 years or longer. Around 12 per cent or 335,000 have been there for between five to nine years. Since the 2011 Census was undertaken 10 years back, it implies that both these categories of non-local migrants fulfil the 15-year rule prescribed for securing domicile certificates. It also means that about 1.8 million people can certainly acquire domicile rights, which constitutes roughly 14 per cent of J&K's 13 million population.

After the abrogation of Article 370, many people who were not enlisted as voters in the erstwhile state of J&K are now eligible to vote. In addition, anyone living ordinarily can also

avail of the opportunity to be enlisted as a voter per the provisions of the Representation of the Peoples Act.

The Chief Electoral Officer has clarified that a domicile certificate was not necessary for enlisting as a voter in J&K. After the legislative changes of August 2019, the Centre replaced the term 'permanent residents' with 'domiciles', a broader bureaucratic category that included anyone who had lived in J&K for a certain number of years. The Chief Electoral Officer further clarified that an employee, a student, a labourer or anyone from outside living ordinarily in J&K can enlist their name in the voting list. There is no need to be a permanent resident to be a voter in J&K. The documents will be scrutinised by relevant government officials who will decide after being satisfied with the claim.

J&K have more than half a million Indian troops eligible to vote. The Chief Electoral Officer also said that armed forces personnel from other states posted at peace stations in J&K could get their names added to the voter list. It was further clarified that many residents of J&K working in the armed forces and paramilitary forces, who are posted outside the UT, have an option to get registered as service voters. Similarly, those from different parts of the country posted in J&K have an option to enlist themselves as voters. The final voter list will be published by 25 November 2022.

Around 2.5 million new voters are expected to be enrolled in the UT as the special summary revision of electoral rolls is being held for the first time after the abrogation of Article 370 in 2019. The ongoing exercise to complete the special summary revision of electoral rolls by 25 November 2022 will certainly be challenging. The on-going massive exercise to complete the process in time is to ensure that all the eligible voters, including those who have attained the age of 18 years on 1 October 2022 or earlier, are enrolled to provide an error-free final list. Voter identification will be linked to the *Aadhar*, and new cards will be issued with many more security features. Though furnishing of the *Aadhar* number is purely voluntary, the objective of the programme is to establish the identity of electors and authentication of entries in the electoral roll.

The locals fear that a settlement of two million non-local population will alter the demographic composition of J&K. Political parties of Kashmir maintain that the National Democratic Alliance government has orchestrated the entire exercise to alter the demographic balance in the state to secure its victory. A meeting of all these parties on 21 August 2022 has decided to oppose the addition of non-locals as it may lead to the original residents losing their distinct identity.

The election timing in the state has not been decided yet. The Election Commission of India will be responsible for announcing the dates.

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