



Paramount Electoral Vision in Punjab: A British Perception

(Vinay Kumar)*

Abstracts: Franchise is the base of Democracy and it is successfully going on in India. Proper administrative machinery became imperative to enable the voters to express their wishes in a general election. Election is a Latin word *eligre* which means 'to choose'. It is reckoned as a part of the machinery of government in the democratic countries.¹ In the history of India, the beginning of elections is considered with the Indian Councils Act of 1892. It was the first time that the element of election was introduced in Indian politics. In this Act, the indirect provision for the use of election for filling some non-official seats in the provincial councils and central legislative council was made. The word nomination instead of election was used in this Act. The principle of election received its approval in the Minto-Morley Act of 1909. Under this Act, each legislative council was comprised of three classes of members – the elected, the officials and the nominated non-official members.

Franchise is the base of Democracy and it is successfully going on in India. Proper administrative machinery became imperative to enable the voters to express their wishes in a general election. Election is a Latin word *eligre* which means 'to choose'. It is reckoned as a part of the machinery of government in the democratic countries.² In the history of India, the beginning of elections is considered with the Indian Councils Act of 1892. It was the first time that the element of election was introduced in Indian politics. In this Act, the indirect provision for the use of election for filling some non-official seats in the provincial councils and central legislative council was made. The word nomination instead of election was used in this Act. The principle of election received its approval in the Minto-Morley Act of 1909. Under this Act, each legislative council was comprised of three classes of members – the elected, the officials and the nominated non-official members. The Punjab Legislative Council had 24 members included 8 elected members, 6 nominated non-official members and 10 nominated official members. The detail is given in the following Table No: T-1.

HOD PG Department of History, J C DAV College, Dasuya (Hoshiarpur) Punjab

¹ Maheshwari Shiram, **The General Election in India**, Allahabad: Chaitanya Publishing House, 1963, pp. 1.

² Maheshwari Shiram, **The General Election in India**, Allahabad: Chaitanya Publishing House, 1963, pp. 1.

Table No: T-1

Punjab Legislative Council in 1912			
<i>Elected</i>	<i>Officials</i>	<i>Nominated non-officials</i>	<i>Total</i>
08	10	06	24

Source: Maheshwari Shriram, **The General Election in India**, Allahabad: Chaitanya Publishing House, 1963, p. 9.

The system of election came in wider use with the passage of the Government of India Act 1919, under which some altered, and higher, political goals were set out for India. Under it, the elected element in the legislatures, both central and provincial, were enlarged; the franchise was broadened, and the election also became direct now. The communal and special electorates were provided to certain communities a chance to carry forward their own interests. The proportion of the directly elected members of all the provincial legislatures was increased up to 70% which was previously in minority under the Minto-Morley Act of 1909 with an exception of the state of Bengal. The cap-proportion for the official members was fixed at 20%. The provision for the nomination of the non-official members was made only to give representation to such classes of the Indian society which usually remained unrepresented.³ Though Act of 1919 extended the franchise right but the franchise qualifications still differ from the province to province and even in the urban and rural area of the constituency. As the qualification for a voter in the landholder's constituency was the possession of a landed estate assessed to land revenue varying from Rs. 500/- in Punjab to Rs. 5000/- in United Province. Similarly, the residential qualification for a candidate in the constituency was imposed in the three provinces of Bombay, Punjab and the Central Province.

Under the Minto-Morley Reform Act of 1909, the communal electorate was given to the Muslim only, but in this Act of 1919, it was extended in the case of the Sikh, Indian Christians, Anglo-Indians and the Europeans which intensify the communal electorate in to the Indian political spheres. The Indian Statutory Commission, also known as Simon Commission, recommended in 1928 to give the franchise right to at least 10% of the Indian population. On this recommendation, the British Government appointed a Franchise Committee under the headship of Lord Lothian in 1931. This committee further endorsed the adult suffrage as the only method by which Absolute Equality of Political Rights could be secured to every adult of India. The joint committee on Indian constitutional reforms, 1933-34, provided the basis of franchise for the new Provincial legislatures. The Government of India Act 1935 did not envisage any change of principle in the allocation of seats in the Legislative Assemblies and Councils. The provincial autonomy was given under this Act. The communal electorates and 'weightage' was retained and the franchise was mainly based on the property, education and income qualifications.

³ Shriram Maheshwari, **The General Election in India**, Allahabad: Chaitanya Publishing House, 1963, pp. 12.



The institution of election became more popular in the Indian political sphere. Elections provided political training to the voters and kept them involved with the burning problems confronting the state. The qualifications for a voter under the Government of India Act 1935 were that the voter had to be at least twenty one years old and a British subject or subject or ruler of a federated or any other prescribed State, and belonged to the community to which the seat was assigned. The qualifications were based mainly on income, property and education. The separate constituencies were formed for different communities but the qualifications for the voters remained the same. The depressed classes were given a lower franchise. The women, in all the communities, were given some additional qualifications, mainly by virtue of their husband's qualifications.⁴

This system of franchise continued up to the implementation of the Constitution of India in 1950 under which the full Adult Suffrage has been provided. The office of the Chief Election Commission was set up to hold elections. Each State is allotted the seats in the Lok Sabha in such a manner that the ratio between the number of such seats and the population of the State is, so far as practicable, the same for all States. The number of seats in Vidhan Sabha is determined by multiplying the number of the Lok Sabha by an integral number which may yield a reasonable size of the Vidhan Sabha. The States are divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it is same throughout the State. The Assembly seats of every State are to be delimited after every Census as proposed in Delimitation Commission Act, 1952.⁵

Punjab Assembly Elections in Pre-Independence period:

In the beginning of 20th century, Punjab was a very big province including the Punjab now in Pakistan, Haryana, Himachal Pradesh, Delhi and the settled districts of the north western frontier now in Pakistan.⁶ All the administrative powers were concentrated to the Lieutenant Governor who represented the political department of the Government of India. Punjab was a non-Regulation province which means that the Regulations passed before 1883 were not

⁴ P.N. Masaldan, **Evolution of Provincial Autonomy in India**, Bombay: Hind Kitabs, 1953, p. 109.

⁵ Shriram Maheshwari, **The General Election in India**, Allahabad: Chaitanya Publishing House, 1963, p. 24

⁶ Sri Ram Sharma, **Punjab in Ferment**, New Delhi: S. Chand & Company, 1971, p. 1



applicable in Punjab. A legislative council was set up in Punjab in 1898 which includes eight members and out of them four were non-official, nominated by the Lieutenant Governor.⁷ Minto-Morley Reform Act of 1909 provisioned for Punjab had 1 out of 27 elected seats in the newly formed 60 members Central Legislature. The similar discrimination towards the Punjab Legislatures could also be seen as it was restricted to 24 seats as compared to Assam which got 30 seats though much less populated and backward in comparison to Punjab. Out of these 24 seats in Punjab only 5 were to be elected whereas 19 were to be nominated. It indicates that the Punjab Government made efforts to keep intact the tradition of autocracy.⁸

The Montagu-Chelmsford Reform Act 1919 made substantial changes in the structure and functioning of the central and provincial legislatures. In this Act the previous so called discriminative policy in comparison to other states came to an end. “Dyarchy” also spelled Diarchy which means government by two Independent Authorities was established and community wise distribution of the seats was made in all the states. It is a system which represented a rough blending of the democratic and bureaucratic elements. The governor was given the right to appoint the Executive Councilors and was given the charge of Reserve departments and he could also appoint ministers to hold the charge of Transferred departments as all the subjects of provincial administration were grouped in two parts the Reserved and Transferred. The Reserved subjects were as maintenance of law and order, finance, police, jails, justice, water supply, irrigation and canals, land revenue, administration, famine relief, land acquisition, mineral resources, factories, settlement of labour disputes, electricity, industrial insurance and housing ports, inland navigation, motor vehicles, newspapers, books and printing press, elections, local Audit funds, Public service and many more.⁹ The Transferred subjects were like local-self government, medical administration, public health, public works, education, religious and charitable endowments, libraries, museums, agriculture and many more. In case of any dispute regarding any subject, the decision was to be made by the Governor. This new electoral reform system of 1919 injected the evil of Communalism and Separatism at the provincial level in a new manner which strengthened the communal politics in India generally

⁷ Sri Ram Sharma, **Punjab in Ferment**, New Delhi: S. Chand & Company, 1971, p. 4

⁸ K.C. Yadav, **Elections in Panjab (1920-1947)**, Delhi: Manohar Publications, 1987, p. 4

⁹ J.C. Johari, **Indian Political System**, New Delhi: Anmol Publications Pvt. Ltd., 1997, pp. 47-48.

and the Punjab particularly. It owed the fast politicization of the Punjabis which raised the tide of nationalism and a demand for constitutional privileges but the communal touch of this Act interrupted and weakened the spirit of nationalism and unity.¹⁰ In the consideration of the 1919 Act, there were four types of constituencies in the Punjab Legislative Council divided into three sub-parts and the total was 71 seats as shown in the Table No: T-7(2). In these four types of constituencies, 32 seats were fixed for Mohammadan including 5 urban and 27 rural constituencies, 20 for Non-Mohammdans including 7 urban and 13 rural constituencies, 12 constituencies including 1 urban and 11 rural, and 7 open constituencies of the Punjab Legislative Council. This provision was made in 1920 and continued up to 1935 till the application of Government of India Act 1935. The Poona Pact (1932) also applied in this very Act, so this Legislative had no provisions for the Dalit. The types of constituencies are explained in Table No. T-2.

Table No: T-2.

Types of Constituencies in the Punjab Legislative Council, 1920-35			
Type of the Constituency	Urban	Rural	Total
Muhamadans	05	27	32
Non-Muhamdans	07	13	20
Sikhs	01	11	12
Special	--	--	07
Total	13	51	71

Source: K.C. Yadav, Elections in Panjab (1920-1947), Delhi: Manohar Publications, 1987.

Some qualifications were fixed for the voters and the members of the Punjab Legislative council which restricted the number of the voters to hardly 3% population. Though, this franchise position was bad but not so bad in comparison to the other Provinces.¹¹ Any qualified

¹⁰ K.C. Yadav, **Elections in Panjab (1920-1947)**, Delhi: Manohar Publications, 1987, p. 11.

¹¹ K.C. Yadav, **Elections in Panjab (1920-1947)**, Delhi: Manohar Publications, 1987, pp. 14.



voter could apply for the nomination of the election. If the number of candidates exceeded the vacancies in the constituency, the election took place according to the schedule. The elected members took oath or affirmed allegiance to the Crown, failing which his election could be declared non-viable.

In 1935, the Government of India Act was passed under which the provincial autonomy was reinstituted. This Act was passed under the heavy impression of 1919 Act, 1923 Elections, the Simon Commission Report, Three Round Table Conferences and the release of White Paper in 1933. This Act of 1935 provided an abnormal model of federal system under which 59 items were kept under Central or Federal List, 54 items under Provincial List and 36 items under Concurrent List. It also provided that the residuary powers would be vested in Governor General. The Federal Legislature could make law on a subject given in the Central List and the Provincial Legislature could make law on a subject given in the Provincial List. The subjects of the Concurrent List were given to both Centre and the components of all India Federation, and further clarified that the Province would have no power to make law on a Concurrent subject. These provisions of the Act shows that it provided a federal system for India but in reality, this whole scheme remained on papers, as its reason was that a federation is possible only in a free state where the Constitution is the supreme law of the land and the Centre and Provincial government are the coordinators of each other. The Act of 1935 was actually sought to appease the Indian public opinion by giving a sort of constitutional framework without parting with its colonial hold on India.

This Act made profound changes in the Legislature of Punjab Province. Under its impression, Uni-cameral legislature was established in Punjab. The designation of Punjab Legislative Council was changed to Punjab Legislative Assembly and the seats in it were also increased to 175 elected members from different Communities. It includes 8 General-Urban constituencies, 34 General-Rural constituencies, 9 Mohammadan-Urban constituencies, 75

Mohammadan-Rural constituencies, 2 Sikh-Urban and 29 Sikh-Rural constituencies and 18 special constituencies.¹² The details of the seats are shown in the following Table No: T-3.

Table No: T-3

Types of the Constituencies in the Punjab Legislative Assembly, 1937-47			
<i>Type of the Constituency</i>	<i>Urban</i>	<i>Rural</i>	<i>Total</i>
General	08	34	42
Muhamdans	09	75	84
Sikhs	02	29	31
Special	–	–	18
Total	19	138	175

Source: K.C. Yadav, *Elections in Panjab (1920-1947)*, Delhi: Manohar Publications, 1987, pp. 74-84.

In Communal Award of 1932, no seat was reserved for Scheduled Castes in Punjab but under the provisions of Poona Pact, Eight General Constituencies were reserved for the Scheduled Castes. These eight constituencies were South-Eastern Gurgaon, Karnal North, Ambala-Simla, Hoshiarpur West, Jalandhar, Ludhiana-Ferozpur, Amritsar-Sialkot and Lyallpur-Jhang. In these constituencies, all the members of the Scheduled Castes Registered in the general electoral rolls formed an electoral college which elected a panel of four candidates of their own community with the method of single vote, and they were further nominated for the reserved seats for election by the general electorate. The members of Scheduled Caste community were free to contest from an open constituency.¹³ In the election of 1937, the size of Punjab Legislative Assembly was increased from 71 to 175.¹⁴ The number of Scheduled Caste Constituencies in all the Provinces of India as per the election of 1937 is shown in the following Table No. T-4:

¹² K.C. Yadav, *Elections in Panjab (1920-1947)*, Delhi: Manohar Publications, 1987, p. 16.

¹³ K.C. Yadav, *Elections in Panjab (1920-1947)*, Delhi: Manohar Publications, 1987, pp. 17.

¹⁴ *National Archives of India*, Home Public, File No. 305/1937.

Table No: T-4

Provincial Legislative Assemblies and No. of Scheduled Caste Constituencies in 1937			
<i>Name of the Province</i>	<i>Total General Constituencies</i>	<i>General for Scheduled Castes</i>	<i>Total Provincial Constituencies</i>
Assam	47	07	108
Bengal	78	30	250
Bihar	86	15	152
Bombay	114	15	175
C. P & Berar	84	20	112
Madras	146	30	215
N. W. F. P	09	NIL	50
Orissa	44	06	60
<i>Punjab</i>	<i>42</i>	<i>08</i>	<i>175</i>
Sind	18	NIL	60
U. P	140	20	228
Total	808	151	1585

Source: National Archives of India, New Delhi, Home Public, File No. 305/1937.

The above Table No: T-4 show that the maximum number of scheduled castes constituencies was in Bengal and Madras amounting to 30 seats each. In Punjab the total number of the seats allotted was 175 and out of it the scheduled castes were given 8 seats whereas North West Frontier Province and Sind were given not even a single reserve seat for the Scheduled Castes.



From the above given figures and tables we may conclude that the democracy is a base of Indian Politics. Government provides a system of elections to the people of the country to express their wishes but the way they provide the seats, it sought the feelings of communalism and separatism in various provinces. Like as in Punjab it was started with the Act of 1919, this Act strengthened the communal politics in Punjab which provided a chance to them to carry forward their own interests.

References:

Johari J.C., **Indian Political System**, New Delhi: Anmol Publications Pvt. Ltd., 1997

Masaldan, P.N., **Evolution of Provincial Autonomy in India**, Bombay: Hind Kitabs, 1953

Maheshwari Shriram, **The General Election in India**, Allahabad: Chaitanya Publishing House, 1963

Sharma Sri Ram, **Punjab in Ferment**, New Delhi: S. Chand & Company, 1971

Yadav K.C., **Elections in Panjab (1920-1947)**, Delhi: Manohar Publications, 1987