



# ALL INDIA KASHMIRI SAMAJ (REGD.)

(APEX BODY OF INDIAN & OVERSEAS KASHMIRI PANDIT ORGANISATIONS)

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Sh. Rajiv Kumar  
Chief Election Commissioner of India  
New Delhi

## Subject Simplification of M Form Process For Kashmiri Migrants

Dear Sir,

This is with regard to the scheme for the Kashmiri Migrants, continuing the past practice of facilitating them to vote through Postal ballots and Special Polling Stations set up at Jammu, Udhampur, and New Delhi. The scheme announced continues M-Form and 12-C procedure which has been a subject of contention and criticism for various reasons, leading to calls for its removal. Here are some key points to consider for its removal:

- 1) **Discriminatory Nature:** The M-Form procedure subjects these voters to additional bureaucratic hurdles compared to other voters. This creates a sense of discrimination and inequality, going against the principles of fairness and equal treatment under the law.
- 2) **Complexity and Bureaucratic Hassles:** The process of filling out the M-Form is often complex and cumbersome, requiring specific documentation, proof of migration status and attestation by a gazetted officer. This complexity deters willing and eligible voters from participating in the electoral process, undermining the democratic principle of universal suffrage. Removing the M-Form would simplify the voting process and encourage greater participation among Kashmiri Pandits and migrant voters. In the age of digitalisation, the alternatives like self-attestation with an ID proof should be sufficient evidence to prove the voter's authenticity.
- 3) **Potential for Exclusion:** The stringent requirements of the M-Form procedure increase the risk of excluding eligible voters who may not have access to the necessary documentation or face challenges in meeting the criteria. It disincentives electors as he/she has to visit related offices not once but several times. This exclusionary effect disenfranchises individuals and communities, undermining the integrity of the electoral system and eroding trust in democratic institutions.
- 4) **Historical Context:** Kashmiri Pandits have faced forced displacement and persecution in the past, leading to their status as migrants. The imposition of additional barriers to their participation in the electoral process perpetuates their marginalization and exacerbates the sense of alienation from the democratic process. Removing the M-Form would signal a commitment to addressing historical injustices and fostering inclusivity in Kashmiri society.
- 5) **Non-existent Gazetted officers:** The community is facing a peculiar problem of non-existent gazetted officers within who were aware of the background and would not create much problems before attestation. Since the number has dwindled considerably particularly outside Jammu Kashmir; interested voters find it a huge deterrent to find a compassionate gazetted officer to oblige.
- 6) The community has filled M-Forms several times in the past. An estimate is that around 20,000 M-Forms duly filled are lying with ARO (migrants) Jammu. They can be considered for this and subsequent elections as consent forms.

- 7) Similarly, the complete data of registered Kashmiri Migrants is lying with Relief Commissioner (Migrants) Jammu and Delhi government. It is in digital format and can be used to allow all these eligible voters to cast their votes in the zones they stand registered.
- 8) **Efficacy and Need for Reform:** The effectiveness of the M-Form procedure in achieving its purported objectives, such as preventing voter fraud or ensuring the integrity of the electoral process, is questionable. There is little evidence to suggest that the M-Form effectively addresses these concerns, while its negative impact on voter participation and inclusivity is well-documented. Reforming or removing the M-Form would allow for more effective and equitable measures to be implemented to safeguard the electoral process.

In conclusion, the M-Form procedure for Kashmiri Pandit and migrant voters should be removed due to its discriminatory nature, bureaucratic hassles, potential for exclusion, historical context, constitutional concerns, and lack of efficacy. Removing the M-Form would uphold the principles of equality, fairness, and inclusivity in the electoral process, thereby strengthening democracy in Kashmir and beyond.

With best regards,



Dr Ramesh Raina

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