



Delimitation

 drishtiias.com/printpdf/delimitation-1

Why in the news?

The bifurcation of Jammu and Kashmir state into the Union Territories of J&K and Ladakh has made delimitation of their electoral constituencies inevitable. Recently, the EC has held “**internal discussions**” on the Jammu and Kashmir reorganisation Act, 2019, particularly its provisions on delimitation.

What is Delimitation?

Delimitation literally means **the act or process of fixing limits or boundaries of territorial constituencies** in a country **to represent changes in population**.

Why Delimitation?

- To provide **equal representation to equal segments of a population**.
- **Fair division of geographical areas** so that one political party doesn't have an advantage over others in an election.
- To follow the principle of “**One Vote One Value**”.

How delimitation is carried out?

- Under **Article 82**, the Parliament enacts a Delimitation Act after every Census.
- Under **Article 170**, States also get divided into territorial constituencies as per Delimitation Act after every Census.
- Once the Act is in force, the **Union government** sets up a Delimitation Commission.
- The **first delimitation** exercise was carried out **by the President (with the help of the Election Commission) in 1950-51**.
- **The Delimitation Commission Act** was enacted in **1952**.
- Delimitation Commissions have been set up **four times — 1952, 1963, 1973 and 2002** under the Acts of 1952, 1962, 1972 and 2002.
- There was **no delimitation after the 1981 and 1991** Censuses.

Delimitation Commission

- The Delimitation Commission is **appointed by the President** of India and works in **collaboration** with the **Election Commission of India**.
- **Composition:**
 - Retired Supreme Court judge
 - Chief Election Commissioner
 - Respective State Election Commissioners
- **Functions:**
 - To determine the number and boundaries of constituencies to make population of all constituencies nearly equal.
 - **To identify seats reserved for Scheduled Castes and Scheduled Tribes,** wherever their population is relatively large.
- In case of difference of opinion among members of the Commission, the **opinion of the majority prevails**.
- The Delimitation Commission in India is a high power body whose orders have the force of law and **cannot be called in question before any court**.

Current Position of Delimitation

- In the **2009** General elections, **499** out of total 543 Parliamentary constituencies were **newly delimited constituencies**.
- This affected the National Capital Region of Delhi, The Union territory of Puducherry and all other states except J&K, Arunachal Pradesh, Assam, Jharkhand, Manipur and Nagaland.

Problems with Delimitation

- States that take **little interest in population control** could end up with a **greater number of seats in Parliament**. The southern states that promoted family planning faced the possibility of having their seats reduced.
- In 2008, Delimitation was done based on the 2001 census, but the total number of seats in the Assemblies and Parliament decided as per the **1971 Census** was not changed.
- The constitution has also capped the number of Lok Shaba & Rajya Sabha seats to a maximum of 550 & 250 respectively and **increasing populations are being represented by a single representative**.

Steps to be taken

- A **national consensus** exercise should be started to sort out issues much before 2026.

- The **weightage given by the Finance Commission to population can be reduced** to 10%, or even 5%.

Way Forward

- Although the freeze on the number of seats in Lok Sabha and Assemblies should have been lifted after the 2001 Census, another amendment **has postponed this until 2026.**
- This was justified on the ground that a **uniform population growth rate** would be achieved **throughout the country** by **2026.**