



# drishti

## Associate Members to Delimitation Commission

---

 [drishtias.com/printpdf/associate-members-to-delimitation-commission](https://drishtias.com/printpdf/associate-members-to-delimitation-commission)

### Why in News

---

Recently, the Lok Sabha Speaker has nominated 15 MPs **from Jammu and Kashmir, Assam, Manipur, Nagaland and Arunachal Pradesh** to assist the **Delimitation Commission** in **redrawing the Lok Sabha and the Assembly constituencies** of the northeastern States and the Union Territory of Ladakh.

The appointments are made **after the Delimitation Commission's request** to the **presiding officers of Lok Sabha and the Assemblies** to nominate associate members.

### Key Points

---

- **Description:**
  - The government has constituted a Delimitation Commission to **redraw Lok Sabha and assembly constituencies of the Union Territory Jammu and Kashmir** and the northeastern states of Assam, Arunachal Pradesh, Manipur and Nagaland.
  - It is headed by the **former Supreme Court judge** Ranjana Prakash Desai.

- **Delimitation in Jammu and Kashmir:**

- The Commission intends to delimit the constituencies of Jammu and Kashmir (J&K) in **accordance with the provisions of the Jammu and Kashmir Reorganisation Act (2019)**.

According to Jammu and Kashmir Reorganisation Act, 2019, the number of seats in the Legislative Assembly are to increase with due reservations for SC and STs. It also includes few seats reserved for Pakistan occupied Jammu and Kashmir.

- The J&K experienced the **last delimitation exercise in 1995**.

It has often been argued that the delimitation exercise was held back deliberately to ensure greater representation of Kashmir in the legislative assembly and Parliament rather than Jammu area.

- **Delimitation in Northeastern States:**

The delimitation in Assam, Arunachal Pradesh, Manipur and Nagaland will be carried out in accordance with the provisions of the **Delimitation Act, 2002**.

The delimitation exercise in **Assam** will be **resumed after 12 years** which was **put on hold in 2008** after situation in the state was reported not to be conducive because of **serious threat to the peace and public order**.

## **Delimitation Commission**

- **Establishment:**

- The Delimitation Commission is **appointed** by the **President of India** and works in **collaboration with the Election Commission of India**.
- Delimitation literally means the act or process of fixing limits or boundaries of territorial constituencies in a country to represent changes in population.

- **Constitutional Basis:**

- **Article 82** provides the Parliament enacts a Delimitation Act after every Census.

The **Census Act (1948)** provides for the permanent scheme of conducting population Census. It is carried out in a **ten years interval**.

- **Article 170** provides division of State into territorial constituencies as per Delimitation Act after every Census.
- Once the Act enacted by the Parliament 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**.

- **Composition:**

It is usually composed of the retired Supreme Court judge, Chief Election Commissioner and Respective State Election Commissioners.

- **Objectives:**
  - 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**”.
- **Functions:**
  - It determines the **number and boundaries of constituencies** to make the population of all constituencies nearly equal.
  - It also identifies the **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 Status:**
  - The **42<sup>nd</sup> Amendment Act of 1976** froze the allocation of seats in the Lok Sabha to the states and the division of each State into territorial constituencies till the year 2000 at the 1971 level.
  - Further, the **84<sup>th</sup> Amendment Act of 2001** extended this ban on readjustment for another **25 years (i.e., upto year 2026)**, without affecting the total number of seats based on the 1971 census.
    - The 84<sup>th</sup> Amendment Act of 2001 also empowered the government to undertake readjustment and rationalisation of territorial constituencies in the states on the basis of the **population figures of 1991 census**.
    - Later, **the 87<sup>th</sup> Amendment Act of 2003** provided for the delimitation of constituencies on the **basis of the 2001 census** and not 1991 census.

## Way Forward

---

- The appointment of associated members from the respective States will help the delimitation commission **to resolve grievances of these States** as stated above.
- The involvement of associate members from Lok Sabha and Assemblies will also help **to maintain transparency and integrity of the delimitation commission** which strives for equal representation to equal segments of the population in the country.

**Source: TH**