



## Delimitation

**For Prelims:** [Delimitation](#), [Delimitation Commission Act 1952](#), [Constitution of India](#), [Delimitation Commission](#), [15<sup>th</sup> Finance Commission](#), [ECI](#).

**For Mains:** Need for Delimitation and Related Concerns.

### Why in News?

Many politicians of the Southern States are raising voices over [Delimitation](#) of constituencies based on population, which they consider to be unfair.

- Southern states that followed population control policies are now facing potential disadvantages despite their success in controlling population growth.

### What is Delimitation?

#### ▪ About:

- Delimitation **means the act or process of fixing limits or boundaries** of territorial constituencies in a country or a province having a legislative body.
  - Delimitation for **LS (Lok Sabha)** and **LA (Legislative Assembly)** is different from that of [Local bodies](#).
- The Delimitation Commission Act was enacted in 1952.
  - The Delimitation Commission is appointed by the [President of India](#) and works in collaboration with the [Election Commission of India \(ECI\)](#).
- Delimitation Commissions have been set up four times — 1952, 1963, 1973 and 2002 under the Acts of 1952, 1962, 1972 and 2002.
- The first delimitation exercise was carried out by the **President (with the help of the Election Commission) in 1950-51**.

#### ▪ History:

- The last delimitation exercise that changed the **state-wise composition of the Lok Sabha was completed in 1976** and done on the basis of the **1971 census**.
- The [Constitution of India](#) **mandates that the allocation of seats** in the Lok Sabha should be based on the population of each state so that the ratio of seats to population is as close as possible to being equal across all states. It is intended to ensure that each person's vote carries roughly the same weight, regardless of which state they live in.
  - However, this provision meant that states that **took little interest in population control could end up** with a greater number of seats in Parliament.
- To avoid these consequences, the Constitution was amended **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.
- The 84<sup>th</sup> Amendment Act of 2001 empowered the government to undertake readjustment and **rationalisation of territorial constituencies** in the states on the basis of the population figures of 1991 census.
- The 87th Amendment Act of 2003 **provided for the delimitation of constituencies on**

**the basis of 2001** census and not 1991 census.

- However, this can be done without altering the number of seats allotted to each state in the Lok Sabha.

▪ **Need:**

- 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"**.

▪ **Constitutional Provisions:**

- **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.

## What are the Concerns Related to Delimitation?

▪ **Regional Disparity:**

- Disparity in representation between north and southern part of **India in the Lok Sabha** due to population as a deciding factor.
- The delimitation based solely on population **disregards the progress made by the southern states in population control** and may lead to disparities in the federal structure.
  - Despite having only 18% of the country's population, **the southern states contribute 35% to the country's GDP.**
- The northern states, which did not prioritize population control, are expected to **benefit in the delimitation process due to their higher population growth.**

▪ **Inadequate Funding:**

- After the **15<sup>th</sup> Finance Commission** used the 2011 **Census** as a basis for its recommendation, concerns were raised about southern **states losing funding and representation in parliament.**
- Previously, the 1971 Census was used as the base for funding and tax devolution recommendations to states.

▪ **Affecting the Reservations for SCs/ STs:**

- The scheduled delimitation and **reallocation of seats may result in not only a loss of seats** for southern states but also **an increase in power for political parties** with their base of support in the north.
  - This could potentially lead to a shift of power toward the north and away from the south.
- The exercise will also affect the division of seats **reserved for the Scheduled Castes and Scheduled Tribes (SC/ST)** in each state **(under Articles 330 and 332).**

## What is the Delimitation Commission?

▪ **Appointment:**

- The 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 the population of all constituencies nearly equal.
- To identify seats reserved for **Scheduled Castes and Scheduled Tribes**, wherever their population is relatively large.

▪ **Powers:**

- In case of a 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.

## Way Forward

- A Delimitation Commission should be set up to **redraw constituency boundaries based on the 2031 Census**. And a **State Reorganisation Act** should be enacted to **split states into smaller ones** based on the population recommendations made by the Delimitation Commission.
- There has been significant population growth in India since the **last delimitation exercise, emphasizing** the need to **address the resulting asymmetry in political representation**.
- Instead of relying solely on population as the criterion for delimitation, **other factors such as development indicators**, human development indices, and efforts in implementing family **planning programs could** be considered. This would provide a **more comprehensive and equitable representation** of states' needs and achievements.
- States that have effectively implemented family planning programs should be **acknowledged and rewarded** for their efforts.
- The guidelines for the devolution of funds **should be reviewed to incorporate a more balanced approach**.
- The growth potential of the localities proposed for the merger and their growth in population were taken as criteria for the delimitation exercise.

### UPSC Civil Services Examination Previous Year Questions (PYQs)

**Q. With reference to the Delimitation Commission consider the following statements: (2012)**

1. The orders of the Delimitation Commission cannot be challenged in a Court of Law.
2. When the orders of the Delimitation Commission are laid before the Lok Sabha or State Legislative Assembly, they cannot effect any modification in the orders.

**Which of the statements given above is/are correct?**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Ans: (c)**

**Source: TH**