



Delimitation and Concerns of Southern States

For Prelims: [Delimitation Exercise](#), [Lok Sabha](#), [Legislative Assembly](#), [Chief Election Commissioner](#), [Special Status](#), [Finance Commission](#).

For Mains: Key features of delimitation. Associated concerns of southern states wrt upcoming delimitation and way forward.

[Source: IE](#)

Why in News?

The Union Home Minister assured that the upcoming [delimitation exercise](#) would **not harm southern states** and promised them a **fair share** of any seat increase.

What is Delimitation?

- **About:** Delimitation means the process of **fixing the number of seats and boundaries of territorial constituencies** in each State for the [Lok Sabha](#) and [Legislative assemblies](#).
 - This 'delimitation process' is performed by the '[Delimitation Commission](#)' that is set up under an **act of Parliament**.
- **Delimitation Commission:** It is a **high powered 3 member body** whose orders have the **force of law** and **cannot be called in question before any court**.
 - It includes **two Supreme Court or High Court judges**, one appointed as **chairman** by the central government, and the [Chief Election Commissioner](#) as an ex-officio member.
 - Its orders are presented to the **Lok Sabha and State Assemblies** but **cannot be modified**.
 - It has powers of a **civil court**.
 - It has been set up **four times** till February 2024 i.e., **1952, 1963, 1973 and 2002**.
- **Rationale Behind Delimitation:** Each state is divided into territorial constituencies in such a manner that the **ratio between population of each constituency and the number of seats allotted to it is the same throughout the state**.
 - It **ensures** uniform representation both **among different states** and **within constituencies** of the same state.
- **Constitutional Provisions:**
 - **Article 82:** It provides for the **readjustment of seats** in the House of the people to the states and the **division of each State** into territorial constituencies after **every census**.
 - **Article 170:** It provides for the **composition** of Legislative Assemblies.
- **Related Amendments:** Population-based seat allocation **favours high population growth states**, so amendments were made to **prevent imbalances** and **reward population control efforts**.
 - **42nd Amendment Act, 1976:** It **froze** Lok Sabha seat allocation and constituency division at the **1971 level until 2000**.
 - **84th Amendment Act, 2001:** The freeze on readjustment was **extended** for another 25

years **until 2026**.

- **87th Amendment Act, 2003:** It allowed delimitation based on the **2001 census** without changing the number of seats or constituencies.
- **Judicial Review:** In the ***Kishorchandra Chhanganlal Rathod Case, 2024***, the Supreme Court held that an **order** by the Delimitation Commission can be **reviewed** if it is clearly **arbitrary and violates constitutional values**.

Note: [Article 329](#) bars courts from questioning laws on delimitation or seat allotment.

- **31st Amendment Act, 1973:** States with populations **under six million** were **excluded** from the population-based delimitation exercise.

Why are Southern States Concerned with Upcoming Delimitation?

- **Fear of Losing Representation:** Low Southern states' population compared to Northern states may result in fewer **Lok sabha seats** for southern states if delimitation is solely based on population.
 - E.g., **0% increase** in the number of seats for **Kerala**, only a **26% increase for Tamil Nadu**, but a whopping **79% for both MP and UP**.
- **Gerrymandering:** Southern states are concerned about **gerrymandering** that is a practice of **manipulating electoral boundaries** to unfairly **favor a party or group**, distorting fair representation.
 - E.g., Under Nepal's **new constitution (2015)**, **Nepal's Terai region**, with **50% of the population**, got **fewer seats** than the **hills** due to constituency demarcation **favoring geography over population**, benefiting the hill elite.
- **Threat to Federalism:** Delimitation may increase the **fiscal burden on Southern states** as more seats for the North could mean **higher central allocations** per representative.
 - **Lower political representation** of southern states compared to northern states may pressure them to **accept policies they see as unfair**.
- **Discouragement to Good Governance:** Southern states' population control efforts could lead to fewer seats in delimitation, unfairly favoring high-fertility states and **discouraging good governance**.
 - It leads to criticism of good policies and may prove **counter-productive**. E.g., some politicians considered **incentives for larger families**.
- **North-South Division:** A sense of political and economic imbalance could fuel demands for **greater autonomy or special status**, straining national unity and deepening **North-South divisions**.
- **Skewed Resource Allocation:** Northern states may gain more central funds and welfare schemes due to greater parliamentary influence, while **southern states risk fewer resources despite better governance**.
 - **The Finance Commission (FC)** uses **population** as one of the criteria for allocating funds to states, which can be **disadvantageous for southern states**.
- **Weakening Regional Parties:** Many fear delimitation may favor **parties with strong northern bases**, shifting political dynamics and **weakening southern regional parties**.

Way Forward

- **Balanced Representation:** Ensure no state loses its existing seat share while using a **weighted formula** that considers **population**, development indices, economic contribution, and **governance quality** for fair representation.
- **Equitable Resource Allocation:** Revise the [Finance Commission's](#) devolution formula to protect Southern states from financial disadvantages and strengthen **inter-state councils** for balanced policymaking.
- **Consensus-Building:** Establish a **constitutional review panel** to address delimitation concerns and raise awareness about representation factors beyond population size to **prevent regional**

discontent.

- **Bicameral Strengthening:** Provide **greater representation to Southern states in the Rajya Sabha** to counterbalance any **Lok Sabha** seat reductions.

Drishti Mains Question:

Critically analyze the concerns of southern states regarding the upcoming delimitation exercise and suggest measures to ensure fair representation while maintaining national unity.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. How many Delimitation Commissions have been constituted by the Government of India till December 2023? (2024)

- (a) One
- (b) Two
- (c) Three
- (d) Four

Ans (d)

Q. With reference to the Delimitation Commission consider the following statements:

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)