Delimitation : A case for a fair seat allocation

Main Syllabus : Paper III | General Studies II | Issues and challenges pertaining to the federal structure; Parliament and State legislatures—structure, functioning.

Why is in news?

In the recent conclave of southern Chief Ministers and other political leaders, including the Chief Minister of Punjab, the Joint Action Committee on Fair Delimitation demanded that the freeze on the number of parliamentary constituencies, based on the 1971 Census, be extended for another 25 years.

What is Delimitation?

- **Delimitation** – It is the process of fixing the number of seats and boundaries of territorial constituencies in each State for the Lok Sabha and Legislative assemblies.
- **Article 81(1)** – It states there can be *no more than 550 members* in the Lok Sabha, 530 from states and 20 from Union Territories.
    - **Article 81(2)(a)** - The ratio of number of Lok Sabha seats allotted to a state and the population of the State shall be same of all states.
    - **Article 81(2)(b)** - Ratio between the population of each constituency and the number of seats allotted to it, shall be the same throughout the State.
- **Article 82** - It states that after every Census is completed, the allocation of Lok Sabha seats to each state must be adjusted based on population changes.
- **Past delimitation exercises** - Delimitation has taken place 4 times - *1952, 1963, 1973 and 2002*, with the number of seats fixed and readjusted during the first 3 exercises.
- **42nd amendment 1976**- It had frozen the number of Lok Sabha seats and put off delimitation for 25 years until the 2001 Census.
- **84th Amendment 2001 -** It further delayed delimitation for another 25 years till 2026.
- **87th Amendment 2003** – It provided for only the rearrangement of constituency borders on the basis of 2001 census without changing the number of seats allocated to states.
- **Current status of delimitation -** The present strength of the Lok Sabha(543) was fixed on the basis of the 1971 Census.
- The division of each State into territorial constituencies is readjusted on the basis of the 2001 census.

Delimitation Commission

• **Article 82** – Delimitation shall be carried out by such authority and in such manner as Parliament may by law determine.
• **Delimitation commission**– Consequent to the above provision, the parliament enacts delimitation act to constitute the delimitation commission.
• The Commission is appointed by the *President of India.*
• It comprises
  - A retired judge of the Supreme Court or a high court,
  - The Chief Election Commissioner, and
  - The State Election Commissioner.
• **Power of the commission** - It is a high-power body whose orders have the force of law and cannot be called in question before any court.
• These orders come into force on a date to be specified by the President of India in this behalf.
• The copies of its orders are laid before the House of the People and the State Legislative Assembly concerned, but no modifications are permissible therein by them.
• **Functions** - The Commission examines the changes in the population to redraw the constituencies or redraw a new one where it is necessary.
• Once published, the Commission's orders are final and, as per the *Delimitation Commission Act 1952 and Article 329A* of the Constitution.

What is the need for delimitation exercise now?

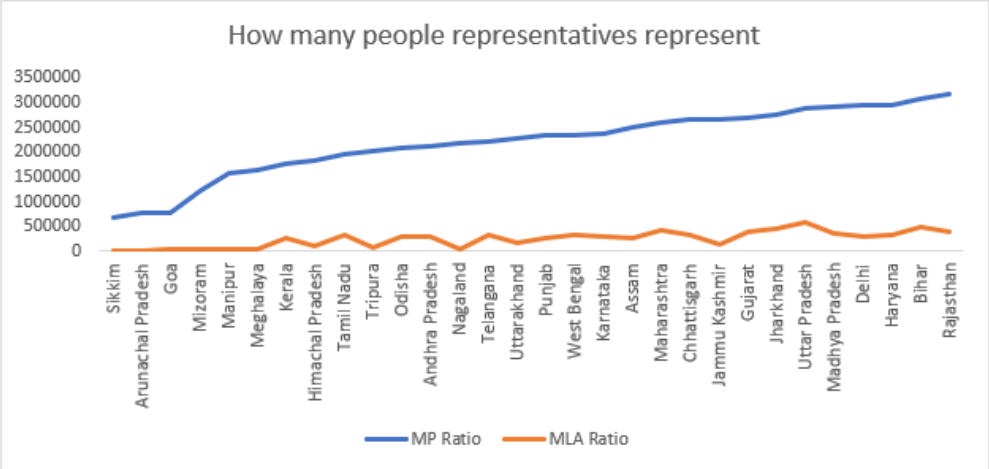
- **Constitutional mandate** – As per the 84th amendment, the delimitation needs to be carried out following the census conducted after 2026.
- **Rationalizing electoral constituencies** - The main purpose of undertaking the delimitation exercise is to rationalize the structure and composition of the electoral constituencies.
- **Increased population** - The total population of India in 1971 was around 54.79 crore which is estimated to have gone up to 141 crores as of March 2025.
- This has not reflected in the strength of the Lok Sabha, as the number of seats has been frozen at the population level of 1971.
- **Changed representation** - In 1971, the ratio between the number of Lok Sabha seats allotted to a State and its population was almost the same for all the States with 10 lakhs for a constituency.

Largest 5 Parliamentary Constituencies in terms of Number of Electors

Sl. No	State	Parliamentary Constituency	Total No. of Electors
1	Andhra Pradesh	Malkajgiri	29,53,915
2	Uttar Pradesh	Ghaziabad	22,63,961
3	Karnataka	Bangalore North	22,29,063
4	Uttar Pradesh	Unnao	21,10,388
5	NCT of Delhi	North West Delhi	20,93,922

Smallest 5 Parliamentary Constituencies in terms of Number of Electors

Sl. No	State	Parliamentary Constituency	Total No. of Electors
1	Lakshadweep	Lakshadweep	47,972
2	Daman & Diu	Daman & Diu	1,02,260
3	Jammu & Kashmir	Ladakh	1,59,949
4	Dadra & Nagar Haveli	Dadra & Nagar Haveli	1,88,783
5	Andaman & Nicobar Islands	Andaman & Nicobar Islands	2,57,856



- **Ensuring One Vote One value** - To provide representation to different sections of the population and remove gross inequalities in the population size of constituencies.
- **Strengthening Democracy** - To address the disparities in voter representation, ensuring fair and transparent elections that uphold the democratic principle of equality.
- **Reflecting demographic changes** - With shifting population patterns, including migration, urbanization, and uneven growth rates, delimitation updates boundaries to reflect current realities.

In 1971, 73.2% of India's population was residing in rural areas and 26.8% in urban areas . In 2011, the rural share decreased to 68.84 % and the urban share increased to 31.16.

What are the challenges in conducting delimitation now?

- **Disproportionate representation risk** – Delimitation based on post 2026 census might allocate states like Uttar Pradesh and Bihar more seats due to higher population growth and a smaller number of seats to states like Tamil Nadu and Kerala, with slower population growth.
- **Aggravates federal imbalance** – The unequal increase in the Lok Sabha seats could aggravate the existing federal imbalance in Parliament in favor of few states like Uttar Pradesh, Bihar etc.

State	Number of seats at present
U.P.	80
Bihar	40
Rajasthan	25
M.P.	29
Tamil Nadu	39
Andhra + Telangana	42
Kerala	20
Karnataka	28
Punjab	13
Himachal	4
Uttarakhand	5

- **Threat to cooperative federalism** – This widening inequality might affect the spirit of cooperative federalism and risks weakening national unity and the balance of power among states.
- **Undermines population control** - A purely population-based seat allocation would favor high population growth states such as Bihar, UP.
- It risks undermining states such as Kerala, Tamil Nadu that followed national population control goals.

What can be done?

- **Weighted formula for seat allocation** - A composite index factor with governance quality, health, education, and fiscal discipline can be used for delimitation.
- This rewards states that have promoted development and followed responsible policies.
- **Gradual change** – Number of state legislative constituencies can be increased before changing the Lok Sabha seats to ensure adequate representation.
- **Maintaining the present representation** – Delimitation can be carried out , without affecting the current percentage share of states in Lok Sabha.

States	Number of seats in Lok Sabha	Percentage
Uttar Pradesh	80	14.73%
Maharashtra	48	8.84%
West Bengal	42	7.74%
Bihar	40	7.37%
Tamil Nadu	39	7.18%

- **Strengthening the Rajya Sabha** – Representation of smaller and less population growth states in Rajya Sabha can be increased to compensate their lose in Lok Sabha.
- **Federal consultative body** - A national-level body can be set up to oversee the delimitation process through dialogue and consensus.
- This ensures fairness and transparency in line with constitutional values.

Reference

The Hindu| A case for a fair seat allocation

