The J&K Delimitation Exercise

What is the issue?

The proposed remapping of Assembly constituencies in the Union Territory by the J&K Delimitation Commission has got the entire spectrum of regional parties in the Kashmir Valley up in arms.

What is Delimitation?

- Delimitation is defined as the act or process of fixing limits or boundaries of territorial constituencies in a country or a province having a legislative body.
- It is the process of redrawing boundaries of Lok Sabha and state Assembly seats to represent changes in the population.
- The objective is to have equal representation to equal segments of the population and ensure a fair division of geographical areas so that all political parties or candidates contesting elections have a level playing field in terms of the number of voters.
- The Parliament enacts a **Delimitation Act** under **Article 82** of the Constitution and an independent high-powered panel known as the **Delimitation Commission** is constituted to carry out the exercise.

How did the J&K Delimitation Commission come into existence?

- A freeze was brought in by the government of then Chief Minister Farooq Abdullah both in the State Assembly as well as in the Supreme Court in 2002 on such process till 2026.
- But the J&K Delimitation Commission came into existence under provisions of Part V of the J&K Reorganization Act, 2019 and Delimitation Act, 2002.
- **Prior to August 5, 2019**- Carving out of J&K's Assembly seats was carried out under the J&K Constitution and Jammu and Kashmir Representation of the People Act, 1957.
- J&K saw the last delimitation exercise in 1994-95, after 22 years, which resulted in an increase in the number of Assembly constituencies from 76 to 87.
- The State as a whole had a total of 111 seats with 24 reserved and vacant for Pakistan occupied Kashmir (PoK), while J&K would hold elections for 87 seats for a 6 year term.
- **Post August 5, 2019** – After the abrogation of Article 370, the complexion of Assembly changed and the UT of Ladakh seats were declared void, reducing the strength of the J&K assembly to 83 from 87.
- The Delimitation Commission headed by retired Supreme Court Judge **Justice Ranjana Prakash Desai**, was constituted in 2020 to delineate constituencies based on the 2011 census taking the strength of seats to 90.

What was the draft proposal of the commission?

- **Increase in seats**- The Commission has suggested six additional Assembly seats in Jammu, from 37 to 43, and one in the Valley, from 46 to 47.

- The J&K assembly will have 90 seats, excluding the 24 seats reserved for areas which are part of Pakistan-occupied Kashmir.
- **Redrawing of political map**- The political map is being redrawn based on the considerations of population spread, inadequate communication and lack of public conveniences due to their excessive remoteness or inhospitable conditions on the international border.
- **SC, ST Reservation**- The commission has suggested reserving 7 seats for Scheduled Castes (Hindus) in the Samba-Kathua-Jammu-Udhampur belt and 9 seats for Scheduled Tribes in the Rajouri-Poonch belt having mainly non-Kashmiri speaking Muslims.

Why is there oppositions mounting against the recommendations?

- Valley parties have opposed the draft as unacceptable and divisive and question its legality.
- There is a national freeze on delimitation, and the constitutional challenge to the J&K Reorganisation Act, 2019, is still pending before the Supreme Court.
- The allocation seems to enhance the electoral prospects of the Jammu-based parties at the cost of the Kashmir-based ones.
- Political groups are demanding statehood and special constitutional guarantees on land, jobs, demography and culture.
- Continuing arbitrariness and heavy-handed measures to repurpose the politics of J&K may not be a sustainable route.

References

1. https://www.thehindu.com/todays-paper/tp-opinion/drawing-a-line/article38024595.ece
2. https://www.thehindu.com/news/national/explained-why-does-the-jk-delimitation-exercise-matter/article34989869.ece

SHANKAR IAS PARLIAMENT
Information is Empowering