



A CRITICAL ANALYSIS OF DELIMITATION: THE PROCESS, ADVANTAGES, AND CONCERNS

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ABSTRACT

Delimitation is an important electoral process intended to establish equitable and proportional representation in the legislative houses by revising the constituency limits according to changes in population. The Delimitation Commission set up under constitutional provisions, is responsible for managing this process in India to maintain Articles 82 and 170. India has implemented delimitation at various periods in the past, with a particular freeze enforced under the 42nd Amendment (1976) to encourage population control. This freeze until 2026 has created disparities in representation since constituencies continue to be demarcated based on the 1971 Census figures despite huge population shifts. This paper discusses the need for delimitation to ensure electoral balance and avoid political imbalances. It underlines the issue of regional inequalities, especially between northern and southern states, wherein population-based representation leads to disproportionate representation. The research proposes reforms such as a weighted model of representation, bicameral redressal, and hybrid representation to balance the representation. The research concludes that although delimitation is imperative for democracy, reforms are imperative to avoid skewed electoral results to ensure fair governance and regional inclusion.

Keywords: Census, Population, Lok Sabha, State Legislative Assemblies, Boundaries, Delimitation Commission.

UNDERSTANDING DELIMITATION

Delimitation is the process of determining or resetting the boundaries of electoral constituencies to provide balanced representation. It is normally conducted following every

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census to consider changes in population and migration trends. The process is significant in guaranteeing proportional representation and avoiding electoral imbalances. It entails several stakeholders, such as the Election Commission, Delimitation Commission, and political representatives.

EVOLUTION

The principle of delimitation has undergone a sharp change in the various political dispensations. The delimitation process in India is regulated by the Delimitation Commission under the Delimitation Act. In 1952, the Delimitation Commission was formed first, and in 1963, 1973, and 2002, further commissions were also formed. India's delimitation process has seen remarkable developments in law as well as in politics. Following the 1971 Census, the government passed the 42nd Amendment to the Constitution.¹ In 1976, delimitation on ice until 2001. The reason for this was to motivate states to adopt family planning schemes without the threat of losing political representation as a result of a reduction in population growth. The more populous states, especially in northern India, would have won additional seats, and those that managed to check population growth would have lost representation. To avert this kind of imbalance, delimitation was suspended.

But in 2002, a further constitutional amendment² prolonged the freeze until 2026, again citing such concerns. This move was meant to give further time for stabilization of population before redistribution of seats could be permitted. Therefore, the existing parliamentary and assembly constituencies continue to be determined by population figures from the 1971 Census, even though population distribution has altered drastically over the years. This has resulted in uneven representation, with some constituencies having greatly disparate voter populations.

DELIMITATION COMMISSION

The Indian delimitation process is carried out by a Delimitation Commission, which is formed by the President of India in consultation with the Election Commission of India. The composition of the commission is as follows:

¹ <https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-forty-second-amendment-act-1976>

² <https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-eighty-fourth-amendment-act-2001>

- A retired judge of the Supreme Court as the Chairperson;
- The Chief Election Commissioner of India (ex-officio member);
- State Election Commissioners of the concerned states (ex-officio members).

The commission is an independent *body*, and its findings are binding and conclusive. No court can take jurisdiction of its recommendations, so the process is free from judicial interference.

PROCESS OF DELIMITATION

Collection of Census Data – The process starts after the decennial census to evaluate population changes.

Composition of Delimitation Commission – The President forms the commission.

Preparation of Draft Proposals for Constituencies – The commission formulates draft proposals according to census data.

Public Consultation – The commission releases the proposals, seeking public opinion.

Finalization and Notification – Upon taking into account public suggestions, the commission finalizes and notifies the new boundaries.

India has carried out delimitation exercises at various intervals:

1952 – First Delimitation Commission based on the 1951 Census. **Lok Sabha Seats:** Raised to 494; **State Assembly Seats:** Raised to 3,102

1963 – Second Delimitation Commission based on the 1961 Census. **Lok Sabha Seats:** Increased to 522; **State Assembly Seats:** Increased to 3,563.

1973 – Third Delimitation Commission based on the 1971 Census. **Lok Sabha Seats:** Increased to 543; **State Assembly Seats:** Increased to 3,997.

2002 – The Fourth Delimitation Commission, based on the 2001 Census, was formed after a long gap due to the 1976 freeze

CONSTITUTIONAL PROVISIONS

Delimitation in India is governed by several constitutional provisions:

Article 82³ – Authorizes readjustment of constituencies following every census.

Article 170⁴ – Addresses the composition of state legislative assemblies and constituency delimitation.

Article 330⁵ & 332⁶ – Enact reservation of seats for Scheduled Castes (SCs) and Scheduled Tribes (STs) in the Lok Sabha and State Assemblies.

Delimitation Acts⁷ (1952, 1962, 1972, 2002) – Regulate the procedural framework of the process.

NECESSITY OF DELIMITATION

Equal Representation: In the course of time, population increases and migration introduce inequalities in the sizes of constituencies. If not delimited, some are overcrowded and others are underpopulated, resulting in unbalanced representation. Delimitation makes all the constituencies nearly equal in terms of population to ensure electoral equality.

Maintaining the Principle of One Person, One Vote:⁸ The spirit of democracy is embodied in the precept that each vote must have an equal weight. Without delimitation, the smaller population constituencies will potentially have relatively greater representation than overcrowded constituencies, dislodging the electoral equity precept.

Avoiding Political Unbalance: Without regular delimitation, some areas with high growth rates can continue to be underrepresented, while others experiencing steady or falling populations can end up being overrepresented. This leads to political inequalities and erodes democratic justice.

³ <https://indiankanoon.org/doc/1682669/>

⁴ Ibid

⁵ <https://indiankanoon.org/doc/818841/>

⁶ Ibid

⁷ <https://www.eci.gov.in/962-delimitation-acts>

⁸ <https://aceproject.org/main/english/lf/lfd13a.htm>

Effective Governance and Resource Allocation: Well-defined constituencies allow representatives to govern and represent the affairs of a balanced electorate properly. This also guarantees an equitable distribution of government programs, infrastructure projects, and public facilities across constituencies based on recently available demographic profiles.

Prevention of Voter Disenfranchisement: If election boundaries fail to keep pace with population changes, voters in fast-growing areas can have their votes count less than those in areas that are not growing. This results in uneven political power and can discourage voting in elections.

Adjusting to Demographic Changes: Migration, urbanization, and shifting socio-economic dynamics constantly alter the demographic pattern of a country. Without periodic delimitation, older constituency boundaries do not reflect these changes, so electoral representation is inaccurate and ineffective.

Strengthening Democratic Legitimacy: The democratic legitimacy of any country relies on free and honest electoral processes. Delimitation ensures that elections are held on a level playing field, strengthening people's trust in the political system.

Preventing Electoral Manipulation and Gerrymandering: Without timely delimitation, political parties can take advantage of old constituency structures to win elections. Gerrymandering, or the intentional manipulation of constituency boundaries for political purposes, can skew electoral results and undermine democratic integrity.

Addressing Regional Disparities: Certain regions have higher birth rates and population growth compared to others. Delimitation serves to solve these disparities by ensuring that legislatures' representation reflects up-to-date population statistics, fostering regional fairness in decision-making.

Upkeep of Constitutional Mandates: Several provisions of the Constitution, including Article 82 and Article 170 of the Indian Constitution, have prescribed delimitation at periodic intervals to uphold equal representation in the Lok Sabha and state assemblies. Failure to observe delimitation can lead to constitutional transgressions and judicial proceedings.

CONSEQUENCES OF AVOIDING DELIMITATION

Disproportionate Representation: Without regular delimitation, constituencies with high population growth become underrepresented while stagnant areas retain excessive political power. This distortion undermines the democratic system and influences policy prioritization. Overpopulated constituencies can have an excessively high ratio of voters per representative, making it challenging for elected representatives to represent the interests of all constituents adequately.

Political Instability: A biased electoral system may cause discontent among the electorate, escalating political instability and unrest. Examples from history demonstrate that delayed delimitation may lead to regional discontent and even boycotts during elections. It may, in extreme situations, result in voter apathy, undermining the democratic process.

Policy and Governance Issues: Unequal representation impacts resource allocation and policy-making. Regions with increased population growth might not receive proper funds and infrastructure facilities, further fueling regional disparities. Inefficient governance results from inadequate representation because elected members are unable to attend to the varied needs of disproportionately large sections of the population.

Gerrymandering Encouragement: The lack of frequent delimitation heightens the potentiality of gerrymandering when parties in politics control the limits of constituencies to achieve victory. This renders the election unfair by contributing to a disbalance in election competition and deforming voter weight.

Weakening of the Principle of Electoral Equity: The basic tenet of "one person, one vote" is undermined when electoral constituencies are not redetermined to account for shifts in demographic composition. This undermines the legitimacy of the electoral process and democratic rule.

CONCERNS REGARDING DELIMITATION

Regional Disparity and Electoral Imbalance -

One of the main issues involving delimitation is the increasing regional imbalance in representation, especially between northern and southern India. Since delimitation is mostly determined by population, northern states with higher population growth rates of population

have a greater number of parliamentary seats to gain. Southern states, though their economies are growing and they have managed to control population, might be losing representation.

Implications of Regional Disparity -

Excessive Political Power: The northern states may end up with more seats in the Lok Sabha, which would create a national imbalance of decision-making power. This might lead to policies favouring population-intensive states, possibly overlooking the needs of more economically advanced but less populous states.

Federal Imbalance: The Indian federal system is rooted in interstate cooperation. An important political change could lead to north-south tensions since southern states may feel politically disadvantaged.

Rewarding Population Increase, Punishing Development: Successful implementation of population control policies can be punished through fewer seats in parliament, with more representation accorded to population-growth-leading states. This goes against good governance principles and encourages poor performance in policy application when it comes to population handling.

Economic Contributions v Representation: The southern states contribute more than 30% to India's GDP⁹, albeit with just 20% of the population. Political representation fails to account for this economic input, leaving us to question if economic development can be an influential factor in decision-making representation. If only population is used as the determining factor, then perhaps there would be an unequal resource allocation and share of power.

Table 1: If the number of seats is retained at 543 and reapportioned among States based on the projected population in 2026

State	Number of seats at present	Number of seats projected	Net gain/loss
U.P.	80	91	11
Bihar	40	50	10
Rajasthan	25	31	6
M.P.	29	33	4
Tamil Nadu	39	31	-8
Andhra + Telangana	42	34	-8
Kerala	20	12	-8
Karnataka	28	26	-2
Punjab	13	12	-1
Himachal	4	3	-1
Uttarakhand	5	4	-1

Table 2: If the number of seats is increased to 848 based on the projected population in 2026

State	Number of seats at present	Number of seats projected	Net gain
U.P.	80	143	63
Bihar	40	79	39
Rajasthan	25	50	25
M.P.	29	52	23
Tamil Nadu	39	49	10
Andhra + Telangana	42	54	12
Kerala	20	20	-
Karnataka	28	41	13
Punjab	13	18	5
Himachal	4	4	-
Uttarakhand	5	7	2

⁹ https://eacpm.gov.in/wp-content/uploads/2024/09/State-GDP-Working-Paper_Final.pdf

POSSIBLE SOLUTIONS TO ADDRESS THESE CONCERNS

Weighted Representation Model: Instead of determining seats purely based on population, India could adopt a weighted representation model that considers economic contributions, human development indices, and governance efficiency. This would ensure that states contributing significantly to national progress are not politically marginalized.

Bicameral Adjustments: Strengthening the role of the Rajya Sabha would allow for a leveling of regional inequities. The upper chamber may be afforded greater powers to deal with affairs impacting federal relationships, so as to ensure nationally representative decision-making involving economically advancing states.

Inducement to Population Control Activities: States able to successfully restrict population growth could be rewarded under policy incentives such as increased economic allocations, concessions in taxation, or more devolved funds under finance schemes like awards under the Finance Commission. A possible alternative is to assign a guaranteed minimum baseline number of seats to states that have managed their population, avoiding drastic cuts in parliamentary representation.

Hybrid Approach for Seat Allocation: A hybrid system may be introduced wherein 70-80% of seats are distributed according to population, and 20-30% are decided based on economic, governance, and demographic factors. This would balance the representation between densely populated states and states which have managed to control demographic growth well.

Periodic Constitutional Review: Given India's demographic and economic diversity, the delimitation framework should be reviewed periodically rather than following a rigid formula. A dynamic approach that adjusts to socio-economic changes, migration patterns, and development indices would ensure more equitable representation. By adopting these measures, India can ensure that democracy remains inclusive and representative while preventing regional imbalances that could weaken the federal structure.

CONCLUSION

Delimitation is a fundamental cornerstone of democratic rule, with electoral representation adjusting according to changing demographics. But India's delimitation process, frozen as it is from the 1971 Census, has generated disparities that compromise the democratic tenet of

equitable representation. The northern versus southern state regional imbalance is an urgent issue, with population growth being the only factor governing seat allocation, ignoring economic advancement, quality of governance, and demographic control. The implications of eschewing timely delimitation are dire. Overcrowded constituencies experience poor representation, while sparsely populated areas retain disproportionate political power. This distorts policy priorities, resulting in inefficient governance and misallocation of resources. Additionally, the lack of periodic adjustments creates issues of gerrymandering, undermining the integrity of electoral competition.

A balanced delimitation strategy is required to avoid the political exclusion of forward-looking states and ensure democratic legitimacy. India can make the electoral system more inclusive and representative by including multiple determinants apart from population and thereby ensuring each citizen's vote carries equal weight despite regional differences. As the review of delimitation for 2026 approaches, policymakers will need to thoroughly assess these issues and reforms to maintain India's democratic ideals and federal equilibrium. An orderly and comprehensive delimitation process will not only make political representation more robust but will also promote national cohesion and fair governance, reaffirming the legitimacy of India's electoral democracy.