



KAMARAJ IAS ACADEMY
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Delimitation will address concerns of southern states

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Context

- The delimitation exercise will take care of the concerns expressed by southern States, and discussions will be held with all stakeholders at the appropriate time, the Ministry of Home Affairs (MHA) said on Thursday
- The **southern States have been opposing the population-based criteria for the redrawing of constituencies, which was last done on the basis of 1971 Census data.**
- **As per constitutional norms, the first Census held after 2026 can be used as the basis to redraw Lok Sabha constituencies.**

Delimitation

- 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.**
- The Delimitation Commission, **appointed by the President of India**, is composed of a **retired Supreme Court judge (chairperson), the Chief Election Commissioner, and State Election Commissioners.**
- 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 i.e., 1952, 1963, 1973 and 2002.**

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 favors 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.**

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- **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**.

Why are Southern States Concerned with Upcoming Delimitation?

- **Fear of Losing Representation:** Southern states' **low population compared to Northern states** may result in **fewer Lok Sabha seats for southern states** if delimitation is solely based on population.
- **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