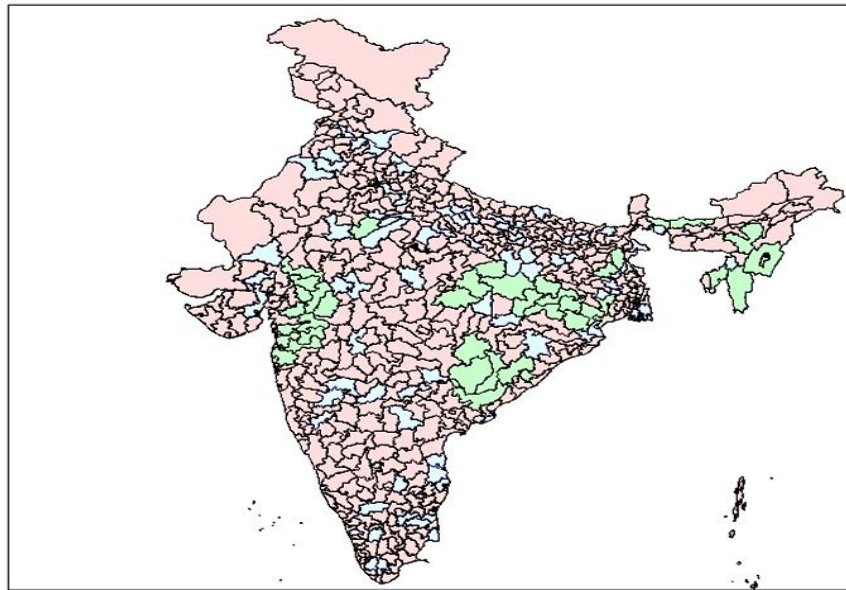




Delimitation of constituencies in India

INDIA PARLIAMENTARY CONSTITUENCIES



TOTAL SEATS 543

GEN 423

SC 79

ST 41

India International Institute of Democracy and Election Management



Meaning of Delimitation

Delimitation literally means the act or process of fixing limits or boundaries of territorial constituencies in a country having a legislative body. The job of delimitation is assigned to a high power body. Such a body is known as Delimitation Commission. OR WHEN IT IS DONE BY ELECTION COMMISSION UNDER AN ACT OF PARLIAMENT.



Institutional Arrangements

- Indian law provides creation of an independent institution called “Delimitation Commission” to carry out the job of delimitation of constituencies.
- It is a high powered 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.



The Past Delimitation Commissions

- First delimitation was done by the President in 1951 on the proposals of Election Commission.
- Thereafter Delimitation Commissions have been constituted 4 times –
 - in 1952 under Delimitation Commission Act, 1952,
 - in 1963 under Delimitation Commission Act, 1962,
 - in 1973 under Delimitation Act, 1972 and
 - in 2002 under Delimitation Act, 2002.



Constitutional Provisions

- Article 81
- There shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and
- Each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State.
- This delimitation was to be carried out after each census which was later modified by amendments in the constitution in 1976 and 2002.



Constitutional Provisions

- **Article 170**
- Each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the State.

- **Article 330**
- Seats shall be reserved for SCs/STs and the number of seats so reserved in the lower house shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that State/UT in the House of the People as the population of SCs in State/UT.

- **Article 332**
- Number of seats reserved for SCs/STs in Legislative Assembly of any State shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the SCs or of the STs in State the, bears to the total population of the State.



Procedure for Delimitation

- The Delimitation Commission takes an internal decision that as constituencies cannot be delimited having exactly equal population in all cases, a **deviation to the extent of 10 percent plus or minus** from the State/district average would be acceptable to the Commission, if the geographical features, means of communication, public convenience, contiguity of the areas and necessity to avoid breaking of administrative units so demand.



Allocation of Assembly Constituencies

- Assembly constituency shall not ordinarily extend to more than one district.
- first step – will be to allocate the number of assembly constituencies to each district on the basis of the total population of that district divided by the average population per constituency.
- the fractions more than one-half shall be counted as one and fractions less than one-half shall be ignored.
- the average population in each constituency in the district shall be worked out by dividing the total population of the district with the number of seats allocated to that district.
- Then, the areas of the district shall be divided into the requisite number of assembly constituencies having regard to the average population per constituency.



Allocation of Assembly Constituencies

- In each State, an administrative unit shall need to be identified having regard to the administrative set up of that State which will be adopted as the lowest administrative unit which should not be broken in any case.
- For example, in the State of Bihar, the administrative units are districts, block, town, ward and revenue village. If a ward (consisting of a few villages) is adopted as the lowest administrative unit for the purpose of delimitation, the whole of that ward will be kept intact and included in one assembly constituency and the villages contained in that ward will not be divided into different assembly constituencies.
- Apart from contiguity, geographical features, better connectivity, means of communication, public convenience will also be kept in view and areas divided by rivers or hilly ranges or forests or ravines and other such natural barriers will not be put in the same constituency.
- Delimitation of the constituencies in a district shall be done starting from North to North-West and then proceeding in a zig-zag manner to end at the Southern side.



Allocation of Parliamentary Constituencies

- Each parliamentary constituency in a State shall be an integral multiple of the assembly constituencies comprised therein. No assembly constituency shall extend to more than one parliamentary constituency.



Reservation of Seats for SCs and STs

- Seats for the SCs or STs are to be reserved in the constituencies in which the percentage of their population to the total population is the largest in the case of STs and comparatively large in the case of SCs.
- While working out the allocation of total number of seats for each district, number of seats to be reserved for SCs/STs in those districts will also have to be worked out separately. Subsequently, SC/ST seats will be reserved in those constituencies in the district in which, percentage of their population to the total population is the largest, in descending order equal to number of SC/ST seats in the district concerned.



Preparation of Working Papers

- The Delimitation Commission prepares 7 working papers.
- In the first stage, Papers I and II showing the proposed allocation of Assembly seats to various districts in the State and further showing the proposed distribution of seats for Scheduled Castes among the various districts will be prepared by the office.
- Soon after, same is submitted to the Chairman and other Members, a meeting is held of the full Commission to tentatively approve these Papers I and II.
- The Commission then consults Associate Members by calling their first meeting soon after Papers I and II have been tentatively prepared by the Commission. Normally the Chief Electoral Officer of the State concerned will also be directed to attend such meeting to clarify any point relating to data and maps and any other related matter.
- Thereafter, the remaining Papers III to VII showing the proposed territorial extent of ACs/PCs and proposed reserved constituencies will be prepared by the office and approved tentatively by the Commission after taking into consideration suggestions made by the Associate Members at first meeting.
- After approving the tentative proposals in the complete Working Paper (containing Papers I to VII), the Commission to send copies of complete Working Papers to the Associate Members who will be given a reasonable time to study the proposals and to come with their suggestions for further meeting(s) in the Commission.



Draft Proposal – Notification

- The draft proposals shall be published in the Gazette of India and the concerned State's Gazette.
- These shall also be published at least in two vernacular newspapers.
- Widest publicity will be given through print and electronic media.
- A notice will also be issued specifying a date on or before which the public is requested to send their objections and suggestions to the proposals.
- After the specified date, the suggestions and objections received will be tabulated and made into sets and distributed to all Members of the Commission/Associate Members.



Public Sittings

- After the last date for submitting suggestions and objections is over, the Commission holds public sittings at one or more places in the State to hear the public in person.
- Wide publicity to those sittings.



Final Orders

- After hearing the public, the Commission holds a final meeting with by Associate Members (though they have no right to vote).
- The final order thus prepared, both for assembly constituencies and parliamentary constituencies of the State, will be signed by the full Commission and the Secretary to the Delimitation Commission.
- The final orders are also required to be published in Gazette and in two vernacular news papers in the State concerned.
- The President of India shall be requested to issue a notification specifying a date from which the said orders shall come into force.



Thanks !

