
DELIMITATION AND HOW DEMOCRACY MUST ADJUST

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ABSTRACT

The debate surrounding delimitation has emerged as one of the most consequential constitutional and political questions confronting contemporary India. While the exercise is often discussed through the lens of electoral arithmetic and regional interests, its implications extend far beyond the redistribution of parliamentary seats. Delimitation is the crossroads where half a century of federalism, population policies, representation and political legitimacy meet. Longstanding concerns about the regional balance of power in India have been reignited by recent legislative proposals concerning delimitation. This article examines the constitutional foundations of delimitation, tracing its development and the decisions that have shaped its implementation since independence. It explores the rationale behind the prolonged freeze on the implementation of such an essential constitutional duty and evaluates the implications of proposals that seek to alter existing mechanisms controlling representation in the Lok Sabha. The article further analyses the competing political narratives that have come to dominate the discourse. On one side is the argument that delimitation is an unavoidable constitutional obligation essential to preserving the principle of equal representation. On the other hand, there is concern that a strictly population-based redistribution of seats may significantly alter the federal balance and diminish the political influence of states that have achieved demographic stabilisation through successful population-control measures. Beyond criticizing the current proposals, the article also explores whether democratic representation can be reimagined to overcome the obstacles that delimitation faces in the modern day. It considers the possibility of incorporating economic productivity into discussions of political representation and evaluates the constitutional challenges such an approach would entail. As a crucial moment for India's development as a democracy approaches, this article seeks to offer a new perspective on delimitation and its effects on democracy and representation at large.

Key Words: - Delimitation, Parliamentary Representation, Federalism, Electoral Redistribution, Democratic Governance.

I. Introduction

The introduction and subsequent failure of the 131st Constitutional Amendment Bill on April 16th, 2026, has caused quite the controversy in the current political discourse. Advocates of the Bill state its constitutional necessity and the intention of increasing women's representation in Parliament as sufficient grounds for its passage. The Opposition, primarily led by Southern States and their representatives, called the Bill a brazen attempt to assert a disproportionate amount of power to the current government's power base in Northern Indian States, while depriving the South of its right to equal representation. Both arguments have merit; however, the political agendas of both parties cloud the very thin line that must be tread to find an amicable solution to this dilemma.

As India approaches a long-delayed reckoning with the consequences of frozen representation, the delimitation debate has evolved into a discussion about how political power should be distributed in the twenty-first century. At its core lies a broader question concerning the nature of democratic representation in a federal state as diverse as India. Policymakers will be forced to balance competing constitutional principles: the basic democratic principle of equal representation, respecting federalism and regional interests, as well as political realities created by decades of uneven demographic and economic development. Delimitation is no longer a problem the country can ignore for the sake of convenience but a duty which must be carried out whilst keeping in mind the issues faced by a democracy as large and as diverse as India. In light of this, understanding the concept and the history of the delimitation exercise becomes essential.

II. History of the Delimitation Exercise

The Constitutional basis for delimitation lies within Article 82 of the Indian Constitution. It mandates the Parliament to form a Delimitation Commission by passing a Delimitation Act after every Census. The Delimitation Commission is appointed by the President of India in consultation with the Election Commission of India. It is composed of a retired Supreme Court Judge as the Chairperson, the Election Commissioner of India, and the respective State Election Commissioners. Its authority is unique among Indian governmental bodies, as its decisions are final and cannot be appealed in a court of law or be subject to judicial review.

Delimitation Commissions have notably been formed under the Delimitation Acts of 1952, 1962, 1972, and 2002. These Commissions have each contributed to the growth of the Lok Sabha, from

the First Lok Sabha, with 401 constituencies and 489 members, to its current strength of 543. The Third Delimitation Commission of 1971 increased Lok Sabha seats from 522 to 543 and Assembly Seats from 3,771 to 3,997. Subsequently, in 1976, the 42nd Constitutional Amendment Act froze the delimitation of both parliamentary and assembly constituencies at the 1971 delimitation. This freeze was meant to last for 25 years and expired in 2001. This was done to encourage population control and stabilization. In 2001, the 84th Constitutional Amendment Act was passed, extending the freeze for another five years, until 2026. However, a Delimitation Commission was formed in 2002, but the changes it made were restricted to redrawing the boundaries of the constituencies only and not increasing the total number of seats in the Lok Sabha.

III. Proposals of the Bill:

- Increase in the Total Strength of Parliament.

The Bill proposes an amendment to Article 81 of the Indian Constitution, which lays down the total strength and composition of the Lok Sabha, by increasing the total number of Lok Sabha seats from 550 to 850, a 54% increase. This increase is facilitated by the Delimitation Bill, 2026, which is connected to the 131st Amendment Bill and proposes the restructuring and redrawing of Indian States to increase the total number of constituencies within them from 530 to 815. Another attached Bill is the Union Territories Laws (Amendment) Bill, 2026, which increases the maximum number of Lok Sabha seats for Union Territories from 20 to 35. Increasing the number of representatives does enhance the quality of representation by reducing the ratio of constituents to representatives, but this comes at the risk of deteriorating the quality of debate, although it does not seem to be a pressing concern for the current government. Notably, the Bill fails to provide any rationale for this specific number of seats. Additionally, there was no mention of increasing the number of seats in the State Legislative Assemblies despite the proposals of the Delimitation Bill of 2026. Article 80 of the Indian Constitution states that the Rajya Sabha will have a maximum of 250 members. The Bill leaves this aspect unchanged. This will change the ratio of Lok Sabha seats to Rajya Sabha seats from 2.2:1 to 3.3:1. This will give the already powerful Lok Sabha a disproportionate amount of control over the Electoral College, which elects the President and the Vice-President of India.

- End of Delimitation Freeze

The freeze on delimitation instituted by the 42nd Constitutional Amendment of 1976 and, subsequently, the 84th Constitutional Amendment Act of 2001, is set to continue until the first census after 2026. This Bill removes the freeze and allows for regular delimitation as later censuses are conducted. Interestingly, the accompanying Delimitation Bill states that the allocation of seats among states will be based on data from the most recent census conducted before the exercise. If delimitation were carried out at present, the 2011 Census would serve as the basis. However, unlike earlier constitutionally mandated provisions, this requirement exists only as a statutory provision and can be altered by a simple majority in Parliament.

- Disconnect of Delimitation from Censuses

Article 82 of the Indian Constitution mandates that upon the completion of each census, the allocation of seats in the Lok Sabha (House of the People) to the states and the division of each state into territorial constituencies must be readjusted by an authority determined by Parliament, usually the Delimitation Commission. This process is attached to every conducted census and is only temporarily frozen by the previously mentioned Amendment Acts. The 131st Amendment Bill seeks to abandon this system altogether. Delimitation would become an exercise that may be done by the Delimitation Commission when set up by the Central Government under the accompanying Delimitation Bill “from time to time.”

- Unexplained System for Rotation of Seats Reserved for Women

Under the 2023 Constitutional Amendment on women’s reservation, the implementation of reserved seats was linked to the completion of the next census. The new Bill changes this position by removing the census requirement, thereby allowing the reservation to be introduced once the proposed delimitation process is completed, even if the next census has not yet been conducted.

The earlier amendment also stated that seats reserved for women would rotate between constituencies after every delimitation exercise. Although the present Bill continues to include the principle of rotation, it no longer makes periodic rotation compulsory after each delimitation. In addition, the Bill does not provide any clear framework regarding how constituencies will be selected for reservation or how the rotation system will operate.

IV. Current Political Context

Delimitation is a constitutional necessity. This is a fact that has been distorted by the hostile political discourse currently surrounding the topic. The Opposition, spearheaded by Southern

States, has framed this issue as a divisive factor in the ever-growing disparity between North and South India. They have alleged that this Bill puts the South in a comparatively disadvantageous position compared to the North due to North India's dense and still-growing population compared to the South's stabilized one. However, if we are distorting democracy for the sake of parity and not equality, is not that an extension of the very identity politics the South claims to oppose? The fact of the matter is that the North-South divide is largely a binary political construct and not a demographic difference. The oversimplification of this issue to a North versus South debate is detrimental to democracy.

The Opposition stated that conducting delimitation now would be equivalent to punishing Southern States for having effective population control methods. However, this narrative is based on a flawed premise. The South has not always been the poster boy for population control. In fact, when delimitation was frozen, it was the South that reaped the benefits of a growing population. As author Ravi K. Mishra demonstrates in his book *Demography, Representation, Delimitation: The North-South Divide in India*, every demographic group in India has experienced population surges and periods of stability. The only difference is the timing. The regional population growth rate of South India (which includes Tamil Nadu, Kerala, Karnataka, and undivided Andhra Pradesh) between 1881 and 1951, based on official census data, was 104 per cent. Meanwhile, at the same point in time, the North, comprising the Hindi Belt, had a regional growth rate of just 44.1 per cent. As Mishra eloquently explains, between 1881 and 1971, Southern India experienced sustained high population growth, while North India struggled to come close to the same numbers. For example, the population of Kerala doubled between 1881 and 1931 and doubled again by 1971. Thus, South India got the best of both worlds: an increase in its Lok Sabha seats as its population grew and a freeze on elimination as its population stabilized. The question is, should we allow the same leeway to the North?

V. The Endgame

The previously mentioned data may be used by some to justify carrying out delimitation without any changes whatsoever to the proposed Bill. However, the Bill's flaws cannot be ignored solely because the past justifies its premise. Delimitation has been an issue that the country has been avoiding for nearly half a century. Now that it finally needs to be done, it should be done correctly.

India has always been an archetype of a proactive democracy. The government has had to become proficient in mediating between the different cultures and demographics within the country. The South's opposition to the Bill is not unwarranted, and their concerns need to be taken into consideration. The crucial difference between the current delimitation proposal and the previous attempts at it lies in where the power of the central government resides. In 1971, the Congress Party was in power. Due to the INC's role in the liberation of the Indian people, its power never relied on any specific region. At one point, it could be called the only truly pan-Indian party. Even today, this is evident from its distributed control over the states. The Congress is in power in Himachal Pradesh, Karnataka, and Telangana, with alliances elsewhere. This is a widely distributed demography, and as historical election results show, the Congress party does not and never really has had a concentrated hold over any particular region. The BJP, on the other hand, is an entirely different story. Its entire structure and message are based on its control over the North and the Hindi Heartland. Of course, the party has extended its control in all directions, but it is common knowledge that the true seat of its power is in the Hindi belt, comprising states like Uttar Pradesh, Uttarakhand, Haryana, Madhya Pradesh, etc. The concern of the Opposition parties is that the North's booming population, if given seats in the Lok Sabha according to its current data, would serve only to entrench the BJP's hold over the country's national elections further. Whilst this isn't a justified reason for rejecting the entirety of the delimitation proposal, it simply proves that the current situation and that of 1971 cannot be equated.

One of the South's primary arguments is its economic contribution to the country as a whole. After all, the top five states by GSDP include two Southern states, namely Tamil Nadu and Karnataka. This has been achieved while both states' populations have been successfully controlled and stabilized. This is the root of the Southern States argument. They have contributed significantly to the country while maintaining a stable and literate population. Although states like Uttar Pradesh and Gujarat also comprise the top five states by GSDP, they have rapidly growing workforces, and their development is unable to keep up with growth, as evident from the large percentage of illiterate people in each state. From the perspective of the Southern States, they have listened to the Centre and controlled their populations while simultaneously

experiencing rapid growth in both welfare and productivity. Thus, to them, it seems they will be punished for their efficiency if delimitation is carried out without any changes.

So what is the solution to this polarizing issue? How does the government execute its constitutional duty without demographically dividing the country in half? Well, recently, the Chief Minister of Telangana, Mr Revanth Reddy, came up with an interesting solution. He proposed that half of all newly formed seats should be allocated based on population, while the other half should be allocated based on the raw GSDP data. Although the idea is interesting, its form has flaws. The system of delimitation itself would be divided into two halves, and even then, it may cause imbalances in the data. After all, the number of allocated seats does not change, but rather the criteria for allocation.

His proposal does, however, introduce an intriguing idea. Can we integrate a State's GDP into the power the State holds at the national level? Of course, raw GSDP data would never produce an equal representation. After all, it cannot be expected of a small state, such as Tripura, to ever match the manufacturing power of a state like Maharashtra or Gujarat. Rather, a feasible solution to this problem could be the allocation of seats in the Lok Sabha based on the GSDP-to-population ratio for each state. Thus, instead of measuring the population as an indication of the national power of each State, the efficiency of each State is what determines its national power. A State can have a large population if it can justify its existence through its GSDP numbers. A small state with a comparatively low population can hold significant power in Parliament if it can employ most of its citizens and extract the most productive capacity from them. This system measures each individual's contribution to the country's overall growth and gives them power accordingly. This ensures that productive States are not politically marginalized because of their stable population. Some people may say that this distributes power based on productivity, but is not productivity a better way of allocating power than merely geography? This system does not conform to our current definition of equality. It rewards efficiency and seeks to ensure that the workforce is properly utilized to claim power at the national level. It does not take power from anyone but rather distributes it more equitably.

However, there remains one major problem. Articles 81 and 82 clearly state that the allocation of seats in the Lok Sabha is to be based on population. The current constitutional framework cannot accommodate the integration of GSDP numbers as a criterion for power allocation. This is where India's proactive approach to democracy should enter the conversation. The beauty of the Indian Constitution and the Indian political system is how quickly they can evolve while sticking to their core values and maintaining their identity. This may be the most significant challenge Indian democracy has faced in recent history. A proactive solution such as this one may be exactly what the country needs. This issue exists primarily because previous governments were unwilling to risk their political dividends to further the essence of democracy. The avoidance of the delimitation issue for half a century is what has caused the current polarization regarding this issue, and this government cannot afford to continue down the same path as its predecessors. An amendment to this core principle of democracy is bound to be controversial, but it seems the continued delay of this exercise has left very few viable options for the government. The avoidance of political marginalization and the prevention of the entrenchment of political power in any one region are of the utmost importance to ensure that India's title as the world's largest democracy remains intact, even if it requires radical change.

VI. Conclusion

The debate surrounding delimitation ultimately reflects a deeper tension in Indian democracy: the challenge of reconciling numerical representation with the realities of a diverse and unevenly developed federation. A democratic system derives its legitimacy from its ability to reflect the will of its people, and any prolonged distortion in representation risks undermining that legitimacy. At the same time, concerns regarding regional balance, economic contribution, and political marginalisation cannot simply be dismissed as partisan objections.

The present moment thus requires more than the routine, typical constitutional exercise the Delimitation Commission ordinarily undertakes. It demands a serious reconsideration of how representation should function in a federation whose demographic and economic reality has changed significantly since the last time a meaningful delimitation was carried out.

Delimitation should not be viewed as a competition among States for influence in the Central Government but rather an opportunity to strengthen the foundations of democracy in the country by more accurately and efficiently representing the root from which the Constitution gains its power, the people. The true measure of Indian democracy will not be whether it undertakes

delimitation, but whether it can do so in a manner that remains faithful to the principles of representation, fairness, and federal cooperation upon which the Constitution was built.

Delimitation delayed is democracy denied, but what if our conception of democracy itself can evolve? That is the question we must ask ourselves as the momentous occasion that is Delimitation looms closer.

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