

6. Delimitation – Polity

The Union Government is considering a landmark legislative shift to decouple the implementation of women's reservation from the delayed 2021 Census. By proposing the 2011 Census as the baseline for a new delimitation exercise, the government aims to fast-track the Nari Shakti Vandan Adhamiya in time for the 2029 General Elections.

Constitutional Background

To understand the complexity of this move, one must define the legal mechanisms governing India's representative democracy–

Delimitation– The process of redrawing boundaries of Lok Sabha and State Assembly seats to ensure that each seat represents an approximately equal number of voters, reflecting population changes.

Census– A comprehensive demographic survey (age, sex, occupation) conducted under the Census of India Act, 1948. While the Constitution mandates enumeration, the Act does not strictly define its periodicity.

The "Freeze" (1971)– To prevent states with successful population control measures from losing political representation to states with high birth rates, the number of seats in the Lok Sabha was "frozen" based on the 1971 Census.

Nari Shakti Vandan Adhiniyam (106th Amendment)– A constitutional amendment that mandates 33% reservation for women in the Lok Sabha and State Assemblies.

The Current Conflict– 2011 vs. 2021 Census

The implementation of women's reservation was originally tethered to two prerequisites– a fresh Census followed by a delimitation exercise.

Feature	The Original Plan (Post–2021 Census)	The Proposed Shift (2011 Census Basis)
Data Baseline	2021 Census (delayed due to COVID–19).	2011 Census (existing, verified data).
Timeline	Likely post–2030 (due to survey delays).	Pre–2029 (aimed at the next General Election).
Total Seats	Would reflect 50 years of population growth.	Projected increase to 816 Lok Sabha seats.
Women's Seats	Determined by new population clusters.	273 seats reserved based on 2011 demographics.

Historical Evolution of Delimitation

India has a tiered history of redrawing its political map, moving from regular updates to a strategic freeze.

Early Phase (Post-Independence)–

- 1951 Census– 494 Lok Sabha seats.
- 1961 Census– 522 Lok Sabha seats.
- 1971 Census– 543 Lok Sabha seats (the current strength).

The Policy Freeze– After 1971, the government froze seat totals to encourage family planning. States that controlled their population were promised they wouldn't lose parliamentary "weightage."

The 84th Amendment (2001)–

- Extended the freeze on the *total number* of seats until the first census after 2026.
- However, it allowed for the *redrawing of boundaries* within states based on the 2001 Census to correct internal migrations.

Mechanics of the New Proposal

The Delimitation Commission

The process is overseen by a high-powered Delimitation Commission appointed by the President. Its orders have the force of law and cannot be challenged in any court.

Constitutional Mandate

Article 82– Provides for the readjustment of Lok Sabha seats after each census.

Article 170– Provides for the readjustment of State Legislative Assembly seats.

Proposed Changes under the Amendment Bill

Seat Expansion– The proposal envisions expanding the Lok Sabha from 543 to 816 seats.

Reserved Quota– Out of the 816 seats, 273 would be legally reserved for women.

SC/ST Recalculation– The commission would also determine new quotas for Scheduled Castes and Scheduled Tribes based on the 2011 data.

Significance and Challenges

The Pros– Urgency and Gender Justice

Faster Implementation– Using 2011 data bypasses the 5–7 year wait for a new Census cycle, allowing the 106th Amendment to take effect by 2029.

Ending Policy Paralysis– It provides a middle path to fulfill a long-standing political promise of gender parity in the legislature.

The Cons– Accuracy and Representation

Data Obsolescence– 2011 data is over 15 years old. Critics argue that using outdated data for a massive seat expansion ignores a decade of migration and urbanization.

North–South Divide– Southern states, which have better population control, fear that any increase in seats (even based on 2011 data) will disproportionately favor Northern states, diluting the South's political voice.

Legal Scrutiny– Moving delimitation ahead of the "post-2026 census" clause may face constitutional challenges regarding the spirit of the 84th Amendment.

The Path Forward

The proposal represents a delicate balance between the urgency of women's empowerment and the accuracy of democratic representation.

To succeed, the government will likely need to–

1. Build a multi-party consensus to address the fears of Southern states.
2. Ensure the Delimitation Commission operates with maximum transparency.
3. Clarify how the 2011 data will be adjusted for current geographic realities.

Source– <https://www.thehindu.com/news/national/govt-revs-up-consultations-on-early-implementation-of-womens-reservation-act/article70776010.ece>