

Question of Delimitation:

New Parliament Building and old Regional Fault lines

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Abstract

As the year 2026 approaches, the question of delimitation will become more prominent, determining whether parliamentary representation among states should be redistributed based on recent population figures. Currently, parliamentary seats are distributed according to the 1971 census. A freeze was imposed on delimitation, set to end in 2026. Due to regional variation in population growth across states, delimitation based on the recent census will result in Northern states gaining increased parliamentary representation at the cost of Southern states. This would significantly alter India's political landscape. This article briefly explains the background of the delimitation process, its political significance, and some of the major arguments around it. As the inauguration of the new parliament building with its increased seating capacity brings India one step closer to delimitation, the article argues for and contributes to the dialogue on the issue of delimitation.

Keywords: Delimitation, New Parliament, Federalism

Introduction

The Central Vista project has been widely discussed, mainly due to its criticism because of the expenditure involved and the way the inauguration of the new parliament building was carried out. However, the project has significant implications for Indian polity. The new parliament building, with its increased seating capacity, is one more step toward the delimitation of parliamentary seats among states in India.

Electoral democracy is based on the principle of 'one person, one value.' For this to manifest in actuality in the Parliamentary system, members of Parliament should ideally be elected from constituencies that have roughly similar populations.

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Hence, Article 81 of the Constitution says, 'There shall be allotted to each State a number of seats in the House of the People in such a manner that the ratio between that number and the population of the state is, so far as practicable, the same for all States'. To account for changes in population, a Delimitation exercise should be conducted after every census for rearranging constituencies.

Though complete adherence to the ideal of seats in proportion to the population was not possible in this regard, considering that India had states and union territories with very small populations. States like Nagaland, Manipur, Mizoram, Goa, and Himachal Pradesh, along with union territories like Delhi, Pondicherry, Diu, and Daman, were together given 35 seats in Lok Sabha. An exception was made for states with less than 6 million populations from the general rule of representation in proportion to the population. It is important to note that these small states were overrepresented at the cost of other larger states.

Uneven population growth and the delimitation freeze

Concerns were expressed regarding this system during the 1970s when the Government of India undertook family planning initiatives. Due to various socio-political, cultural, and economic reasons, Southern States were more successful in reducing population growth compared to others. Hence, considering updated population figures as per the recent census as a basis for seat reallocation would have resulted in an increase in parliamentary seats for the northern states at the cost of Southern States. Southern States opposed any such possible reduction in their seats, calling it 'penalization for the good work they did in population control.' A compromise came in the form of the 42nd constitutional amendment brought in 1976, which, along with other things, put a freeze on any further delimitation of seats among states for the next 25 years. That means, irrespective of varied population growth between states, Lok Sabha seats, Rajya Sabha seats, and the value of the vote of each MLA of state assemblies in the matter of presidential elections will be decided based on the 1971 census. In 2001, when this freeze was supposed to end, it was further extended for 25 years with the 84th Amendment.

The freeze now ends in 2026. If not extended even further, the seats of the parliament should be redistributed among states as per the next census, that is, the 2031 census. To make such an exercise more palatable to states whose parliamentary representation will be reduced, a suggestion was made that rather than decreasing the parliamentary seats of certain states, more seats should be added to the parliament for allocation to states accounting for their increased population. However, adding new seats to parliament was not possible as the old parliament building was at its maximum seating capacity with 543 seats in Lok Sabha. Lack of seating space is one of the chief reasons given behind building the new Parliament, which now has a maximum seating capacity of 1350. If the Delimitation freeze, which ends in 2026, is not extended even further, seats of the Parliament will be reallocated among States based on the 2031 Census, as shown in Table 1.

Table 1:- Lok Sabha representation of states post delimitation as per projected population of 2031.

| Larger states which got seats based on the principle of population in 1971 | Current Seat allocation to States based on the 1971 Census. | Predicted seats if the freeze is Lifted | | Percentage of change in Loksabha representation |
|--|---|---|---|---|
| | | Parliament's total seats are unchanged | Seats with an Increase in Parliament seats. | |
| Bihar | 40 | 51 (+11) | 77 | 27.5% |
| Rajasthan | 25 | 31 (+6) | 48 | 24% |
| Haryana | 10 | 12 (+2) | 18 | 20% |
| MP | 29 | 34 (+5) | 51 | 17.24% |
| Jharkhand | 14 | 16 (+2) | 24 | 14.28% |
| UP | 80 | 91 (+11) | 137 | 13.75% |
| Chhattisgarh | 11 | 12 (+2) | 18 | 9.09% |
| Gujarat | 26 | 28 (+2) | 42 | 7.69% |
| Maharashtra | 48 | 48 (0) | 73 | 0% |
| Assam | 14 | 14 (0) | 21 | 0% |
| Karnataka | 28 | 26 (-2) | 39 | -7.15% |
| Punjab | 13 | 12 (-1) | 17 | -7.7% |
| West Bengal | 42 | 37 (-5) | 56 | -11.91 |
| Telangana | 17 | 14 (-3) | 21 | -17.65 |
| Uttarakhand | 5 | 4 (-1) | 7 | -20 |
| Andhra Pradesh | 25 | 20 (-5) | 30 | -20 |
| Odisha | 21 | 16 (-5) | 25 | -23.81 |
| Tamil Nadu | 39 | 28 (-11) | 43 | -28.21 |
| Kerala | 20 | 13 (-7) | 20 | -35 |
| Total | 507 | 507 | 767 | |

- Calculations are done by the Author on the basis of 'Population Projections for India and states 2011-2036' published by the Census of India authority and the Ministry of Health and Family Welfare.
- For ease of understanding Telangana, Uttarakhand, Jharkhand, and Chhattisgarh are shown in the 1971 table despite they being not existent then.
- The table includes only big States for whom Population is taken as the basis for Delimitation

Politics of Freeze

States in India are not just administrative units created for governmental efficiency. But they are arranged on the cultural lines, which primarily include language. Various interstate fault lines around issues like the status of the Hindi language are manifestations of this diversity. A simple look at Table 1 shows that gainer States are all Hindi-speaking states (With the sole exception of Gujarat). Any change in the

parliamentary representation of states using the post-1971 census will impact India's political culture, altering power relations between Hindi and non-Hindi-speaking states.

And BJP as a party with its base in the Hindi heartland is bound to benefit from any such increase in northern representation. BJP is the dominant party in all the states gaining parliamentary representation in case of delimitation. Out of a total of 235 Lok-shabha seats in these states, BJP won 201 and 187 seats in the 2014 and 2019 Lok Sabha elections respectively. Hence delimitation becomes a highly political question with the BJP having a clear political and ideological advantage in favor of a delimitation exercise. In fact, it can be argued that such political considerations were always present in the issue of delimitation. Even when the Indira Gandhi government brought the freeze on delimitation in 1976 to prevent reduction in parliamentary representation of Southern states. Those were the very states where INC performed well in the 1977 general election(McMillan 2000).

Conclusion

Both Democracy and Federalism have been among the founding principles of the Indian republic. The situation that emerges out of the regional variation in fertility rate has brought these two values into conflict with each other. Continuing with the present system account for going away from the democratic ideal of 'One Person - One Value'. By 2031, the average constituency size in Bihar will be nearly twice as compared to Kerala. Conducting a delimitation exercise with updated population figures will alter the federal balance in favor of already dominant Northern states.

As a compromise between these two positions, McMillan(2001) argues that Lok Sabha gets its legitimacy out of the fact that it is a body that directly represents the will of the people. The present system of malapportionment reduced the representativeness of the Loksabha, which undermines its legitimacy. He suggests that Rajya-Sabha should be used to address concerns of the states losing representation due to delimitation with assurances that contentious policies around language and federalism concerning non-Hindi states shall not be unilaterally passed. Since Rajya-Sabha is not a directly elected body, there is less threat to its legitimacy. In a study of malapportionment in various political systems in the world, upper chambers are commonly understood to over-represent minority groups who otherwise may not get adequately represented. While malapportionment is less in the lower house. Keeping it a 'one vote, one value' house (Samuels and Snyder 2001). But such compromises involve significant constitutional changes in India's political structure which at least in present looks difficult to implement.

The present system of freeze also limits the developmental ability of poor states, resulting in higher population growth. Members of Parliament in underrepresented states not only have to address issues of a much larger population but also of a much poorer population. Less per-capita developmental funds are allocated to the poorest, who ideally need it the most. A suggestion was made in Parliament while debating delimitation freeze in 2001 that even if Parliamentary

seats are not reallocated according to population, at least developmental funds given to MPs should be according to the population of the constituency an MP represents. Moreover, the State population can be given increased importance in matters of distribution of central funds to states. With such measures, we can have a system where the developmental concerns of the North can be simultaneously addressed with the Cultural concerns of the South.

Any decision on delimitation necessarily involves multiple arguments related to federalism and democratic inclusion. Fear of cultural domination on the one hand and the need to address developmental aspirations on the other. An informed discussion, rather than narrow political or ideological considerations, will better serve the cause of the Republic.

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