

## EC KICKS OFF DELIMITATION PROCESS

**Prelims:** Polity & Governance- Elections & Electoral Reforms

**Mains:** GS-II- Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional Bodies.

### Why in News?

- ▶▶ The Election Commission (EC) held its first meeting for the delimitation exercise, necessitated under the new Jammu and Kashmir Reorganisation Act.

### What is Delimitation?

- ▶▶ The Delimitation commission or Boundary commission of India is a commission established by the Government of India under the provisions of the Delimitation Commission Act.
- ▶▶ The main task of the commission is redrawing the boundaries of the various assembly and Lok Sabha constituencies based on a recent census.
- ▶▶ The representation from each State is not changed during this exercise.
- ▶▶ However, the number of SC and ST seats in a state is changed in accordance with the census.
- ▶▶ The present delimitation of constituencies, across the country has been done on the basis of 2001 census under the provisions of Delimitation Act, 2002.

### History of delimitation in Jammu and Kashmir:

- ▶▶ The Constitution of Jammu and Kashmir, enacted in 1957, was based on the Maharaja's Constitution of Jammu and Kashmir of 1939.
- ▶▶ After accession to India, the State Constituent Assembly was constituted under the 1939 Constitution, but Sheikh Abdullah's administration arbitrarily carved out 30 seats for Jammu region and 43 seats for Kashmir region and two seats for Ladakh region. This regional disparity became entrenched thereafter: Kashmir (46), Jammu (37) and Ladakh (four).
- ▶▶ The last time a delimitation exercise took place in the state was also under President's Rule, as far back as 1995 in extremely difficult circumstances by the Justice (retd) KK Gupta Commission.

- ▶▶ Incidentally, the Constitution provides for delimitation every 10 years, the next delimitation of assembly constituencies should have logically taken place in 2005.
- ▶▶ However, in 2002, the Farooq Abdullah government chose to freeze delimitation until 2026 by amending the Jammu & Kashmir Representation of the People Act 1957 and Section 47(3) of the Constitution of Jammu & Kashmir.
- ▶▶ At the moment there are seven seats reserved for SC in the assembly, all in the Jammu division which haven't been rotated since 1996 – Chamb, Domana, Ranbir Singh Pura, Samba, Hiranagar, Chenani and Ramban (separate) in Jammu, Kathua and Udhampur district, respectively.

### Highlights:

- ▶▶ Though the home ministry is yet to provide any formal instruction or information on the reorganization and delimitation of Jammu and Kashmir, the EC discussed how it will deal with the issue after receiving the notification.
- ▶▶ The Jammu and Kashmir Reorganisation Act, 2019, provides for increasing the number of assembly seats in the newly formed Union territory of Jammu and Kashmir from 107 to 114.
- ▶▶ Ladakh will be a Union territory without a legislative assembly.
- ▶▶ Of the 114 seats, 24 have been kept aside for areas under Pakistan Occupied Kashmir (PoK), which means elections will be conducted for 90 seats.
- ▶▶ The old Assembly had strength of 111 seats (again 24 kept aside for PoK) with four seats for Ladakh region.
- ▶▶ That means 7 extra seats will be added to the effective strength of the House.

GATEWAY