Delimitation in India: Ensuring Equitable Representation in a Federal Democracy

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ABSTRACT

Representative democracy is based on delimitation to ensure that electoral boundaries do not disregard the principle of equal representation in the constitution, but are reflective of demographic reality. The procedure is based on Articles 81, 82, 170, and 330 of the Indian Constitution, supplemented by the Representation of the People Acts of 1950 and 1951, and further defined by subsequent Delimitation Commission Acts. There are also large discrepancies between states with different demographic growth patterns due to implementation problems stemming from freezes in constituency realignments (although this has a rock-solid legal foundation). Such misrepresentations put a strain on the federal balance of India, the proportional representation, and the concept of one person, one vote.

Although the Delimitation Commission had a legal jurisdictional basis, its deficiency in transparency, minimal judicial supervision, and weak procedures of participation, among others, cast doubts on independence and accountability. The lack of citizen engagement and misuse of modern technologies, such as Geographic Information Systems, are additional weaknesses of the institution. The experiences of such democracies as the US, Canada, and Australia show how justice can be enhanced by independent commissions, open processes, and technological progress. To critically review the system of delimitation in India, identify its institutional and constitutional weaknesses, and give reform-based strategies aimed at restoring the system of inclusion, proportionality, and democratic legitimacy, this paper adopts a doctrinal, analytical, and comparative perspective.

Keywords: Delimitation, Electoral Boundaries, Federalism, Electoral Reforms, Democratic Representation, Population Disparities, Malapportionment, Reserved Constituencies.

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INTRODUCTION

Representative democracy is based on the principle of delimitation, which is aimed at using the realities of demographics and the principle of equal representation. The issue of delimitation that concerns India is not a technical or an administrative process but it has a strong constitutional and political effect. India is a nation of great territory, unparalleled demographic diversity, and multi-layered socio-political complexity. It relies on the *Articles 81, 82, 170 and 330 of the Constitution* that jointly determine the proportional representation and the right to reserve the legislature seats to the Scheduled Castes and the Scheduled Tribes and the necessity to remake boundaries regularly, based on census reports. They are operationalised by the *Representation of the People Acts, 1950 and 1951 and the Delimitation Commission Acts that were enacted in the years 1952, 1962, 1972 and 2002.* Decisions by the courts have also contributed to this structure: *in Meghraj Kothari v.The Delimitation Commission*, the Supreme Court gave finality to Commission orders through the case of Delimitation Commission and other cases like *Indira Nehru Gandhi v. Raj Narain and Kuldip Nayar v. Union of India,* strengthened the centrality of electoral fairness and posed more questions of representation and balance of federalism.

In spite of these constitutional and statutory protections, delimitation has been a tough issue in India. Representational imbalances across states have been generated due to the *successive freezes on readjustments of constituencies in 1976, and later in 2001, and renewed in 2026*. States that grew more slowly continued to hold out disproportionate political influence, and fast-growing areas are still non-represented, which is worrying the principle of one person, one vote. These imbalances have caused stress on the proportional and federal equity as documented by the *reports of the 1973 and 2002 Delimitation Commissions* and the literature on the subject in such journals as the Indian Journal of Constitutional Law and Economic and Political Weekly. Institutional critiques also underscore the secrecy of the Delimitation Commission, where rulings are final but mostly not subject to judicial or public disclosure, which calls into doubt accountability and transparency. Meanwhile, the process has lacked a flexible and engaging nature because of structural bottlenecks, such as low levels of technological integration of technology tools, such as *Geographic Information Systems (GIS),* and poor participatory systems. It is in this context that the experience of other federal democracies like Canada, Australia, and the United States of America, during which

independent commissions, open processes, and legally enforceable protections against any partisan impact could be used to augment fairness in boundary demarcation.

This study thus takes a *doctrinal and analytical approach* to the constitutional, legislations and institutional provisions on delimitation in India. It critically analyses the historical development, the flaws of its operations, as well as the socio-political implications of the process, and puts it into wider comparative contexts. By doing so, it will outline the contradictions between the principles of constitutionality and politics, reveal the institutional loopholes in the sphere of transparency and accountability, and suggest a model reformed to ensure proportionality, inclusiveness, and democratic legitimacy in the Indian electoral process.

CONSTITUTIONAL AND LEGAL FOUNDATIONS OF DELIMITATION IN INDIA

India's constitutional structure for electoral delimitation was established as a framework to enable democratic representation to conform to the reality of demographics, yet preserve the federal balance of power. Basing its structure on *Articles 81, 82, 170, 327, and 329 of the Constitution*, this structure is representative of the dictum of one person one vote, but equally incorporative of the vast geographical and demographic imbroil of India. Nevertheless, the delimitation has caused very serious distortions in representational parity since 1976 due to the delays in delimitation, and thus raising concerns whether constitutional protection suffices in defending the balance of democracy and federalism.

At the center of this plan, *Article 81*[593] determines the number of Lok Sabha members not exceeding 550, with seats distributed between states in proportion to population *"as nearly as may be."* It is a compromise between absolute equality and geographical, administrative, and social considerations. *Article 82*[594] mandates readjustment of constituencies after every decennial census so that representation adjusts periodically in response to demographic change. *Article 170*[595] extends similar principles to the structure of state legislative assemblies. Along

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[593] INDIA CONST. art. 81
[594] INDIA CONST. art. 82
[595] INDIA CONST. art. 170

with *Article 327*[596], giving Parliament the power over regulating elections, and *Article 329*[597], excluding judicial intervention in delimitation orders, these provisions together make proportionality, periodic resetting, and institutional finality constitutional principles underlying electoral representation. The legislative apparatus for effecting these provisions has been developed over a series of Delimitation Acts, the latest being the Delimitation Act, 2002[598]. This Act authorizes an autonomous Delimitation Commission to reorganize boundaries of constituencies, subject only to population parity and, in addition, taking into account elements of geographical compactness, administrative convenience, and maintenance of local units. The Act does leave room for public input through objections and hearings, thus in theory fixing transparency into the process. In reality, though, the mechanisms have been denounced as constrained and symbolic, with the Commission still holding virtually absolute power to make binding orders not subject to review by the courts.

The value of electoral equality, as expressed in the maxim *"one person, one vote, one value"*, is the basis of the constitutional and statutory regime. Though not directly stated in the Constitution, the value has been reaffirmed in judicial decisions. Thus, the Court emphasized the significance of free and fair elections to constitutional democracy in *Indira Gandhi v. Raj Narain*[599]. Electoral equality demands that all voters' votes be of equal weight, and this can be achieved only by redistributing constituencies every now and then due to population changes. This goal is not compatible with other constitutional compulsions, i.e., the necessity of reserving seats for the Scheduled Castes and Scheduled Tribes to enable their political representation and to enable geographically scattered or thinly settled regions.

The greatest distortion of this system has come from the freeze on delimitation inserted by the *42nd Amendment of 1976*[600]. Driven by fears that states that were successfully carrying out family planning programs would be penalized with fewer seats, the amendment delayed delimitation after the 2001 Census. This delay was again extended by the *84th Amendment of 2001*[601] until after the *first census after 2026*. The outcome is a five-decade-long freeze on the constitutional process designed to rebalance political representation. The implication is dire:

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[596] INDIA CONST. art. 327

[597] INDIA CONST. art. 329

[598] Delimitation Act, No. 33 of 2002, INDIA CODE (2002)

[599] Indira Nehru Gandhi v. Raj Narain, (1975) Supp. SCC 1 (India)

[600] The Constitution (Forty-second Amendment) Act, 1976, INDIA CODE (1976).

[601] The Constitution (Eighty-fourth Amendment) Act, 2001, INDIA CODE (2001).

Lawmakers from densely populated states like Uttar Pradesh now represent almost 1.75 million people[602], while lawmakers from relatively smaller states represent a much smaller number of constituents. As a result of this discrepancy, votes in various states carry varying weights, making the democratic value of a vote contingent on its location.

The freeze also increased federal imbalances. Northern and eastern states, with higher rates of population growth, are underrepresented in national decision-making, while southern and western states that had previously achieved demographic stabilization maintained comparatively higher representation. This disparity has increased regional tensions as fast-growing states feel increasingly underrepresented in Parliament. The possibility that the *freeze will expire in 2026* adds to these worries because any seat reallocation is likely to encounter opposition from underrepresented states that threaten federal stability[603]. Together, these developments highlight a serious structural weakness in India's delimitation framework as outlined in the constitution. The plan was designed to guarantee representational equality through regular rebalancing, but both federal balance and representational equality have been jeopardized by later political decisions to halt this process. The resulting distortions call into question not only the "one person, one vote" principle but also the long-term sustainability of democratic legitimacy in the absence of regular rebalancing to account for demographic shifts.

THE DELIMITATION COMMISSION: STRUCTURE, INDEPENDENCE, AND ACCOUNTABILITY

As a specialized body charged with redrawing parliamentary and assembly constituencies to account for demographic shifts, the Delimitation Commission is made up of the Chief Election Commissioner, the State Election Commissioners, and a retired Supreme Court judge who serves as chair. The independence of the Commission is called into question because the executive is in charge of choosing the chairperson, despite the fact that this tripartite structure aims to strike a balance between judicial independence, electoral expertise, and state-level representation. Although the structure appears carefully designed, this involvement of the executive creates doubts about neutrality even before the delimitation exercise begins.

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[602] *Ronojoy Sen,* Delimitation of Constituencies in India: Southern States Up in Arms, ISAS Brief (April 15, 2025)
[603] Punishment for Progress': India's Electoral Redistricting Plan Deepens North-South Rift," **Anadolu Agency** (AA), Mar. 18, 2025

The powers conferred on the Commission are extensive and binding. Its orders, once published in the Official Gazette, carry the force of law and cannot be modified by Parliament or state legislatures. Furthermore, courts are not permitted to consider challenges against these orders under *Article 329(a)* of the Constitution[604]. Such finality was intended to avoid electoral delays, but in reality, it has created a body with few accountability procedures and decisions that are shielded from public scrutiny. As a result, the Commission functions within a closed framework, with neither the decision-making criteria nor the rationale behind boundary decisions available for public review.

Judicial interpretation has reinforced this framework of finality. *In Meghraj Kothari v. Delimitation Commission*, the Supreme Court ruled that the Commission's order could not be challenged in court after it was published[605]. In a similar vein, the Court declined to consider claims of irregularities in the delimitation process in *Lakshman Singh v. State of Bihar*, stating that meddling would impair the conduct of elections[606]. In the 2006 case of *Kuldip Nayar v. Union of India*[607], the Court indirectly acknowledged that the authority of electoral institutions must be in accordance with constitutional principles, while affirming the importance of these institutions to democratic legitimacy without specifically addressing delimitation. The idea that the Commission's orders are immune to substantive review has been solidified by these decisions, which have reduced the amount of room available to consider issues of transparency or fairness.

Another major issue lies in the Commission's dependence on the executive for its constitution, funding, and initiation of work. Despite being intended to be an independent body, the Commission is vulnerable to indirect influence because of its reliance on government discretion. The opaqueness of its processes exacerbates this dependence. Although public consultations are formally part of the process, their reach is frequently restricted, and they are not required to address objections raised during hearings or offer thorough justifications. Suspicions of political bias have frequently arisen as a result of the lack of transparency, especially when results seem to favor particular states or areas.

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[604] INDIA CONST. art. 329(a)

[605] Meghraj Kothari v. Delimitation Commission & Ors., 1967 AIR 669, 1967 SCR (1) 400 (India)

[606] Lakshman Singh v. State of Bihar (now Jharkhand), *LL* 2021 SC 319 (India).

[607] Kuldip Nayar v. Union of India, (2006) 7 SCC 1 (India)

The history of delimitation in India is also an extension of the political aspects of such a process. Although delimitation exercises were conducted following the *1951, 1961, and 1971 censuses*[608], the *42nd Constitutional Amendment of 1976* put constituency boundaries on hold until after the 2001 census[609]. This hold was later extended by the *84th Amendment in 2001* to persist until after the 2026 census[610]. The consequence has been over half a century of non-recalibration of constituencies in the face of large population shifts. This has resulted in imbalances of representation in favor of high-growth states like Uttar Pradesh and Bihar, which are under-represented, and low-growth states like Kerala and Tamil Nadu, which still hold a disproportionately large number of seats[611].

The combination of these characteristics highlights the primary issues with the Delimitation Commission's functioning: the executive's influence over appointments[612], the decision-making process's immunity from oversight[613], the judiciary's endorsement of its unchecked finality[614], its dependence on the government for funding and action initiation, the lack of transparency in its proceedings, and the distortions resulting from the prolonged freeze on constituency boundaries[615].

FEDERAL BALANCE AND ELECTORAL REPRESENTATION

Outdated constituency boundaries have significantly undermined representational equality in India. The freeze on delimitation imposed by the *42nd Constitutional Amendment in 1976*[616], and later extended by the *84th Constitutional Amendment in 2002*[617], has hindered regular adjustments of constituencies to align with demographic changes. Consequently, the allocation

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[608] See Articles 81–82, Constitution of India; Delimitation Acts of 1952, 1962, and 1972

[609] Constitution (Forty-Second Amendment) Act, 1976, inserting Article 82 proviso (freezing readjustment until after 2001 census).

[610] Constitution (Eighty-Fourth Amendment) Act, 2001 (enacted in 2002), extending freeze on readjustment until the first census after 2026

[611] Alistair McMillan, Delimitation, Democracy and the State: Redrawing India's Electoral Map (Oxford University Press, 2009), pp. 52–55

[612] Delimitation Commission Act, 2002, s. 3 (appointments by the central government)

[613] Article 329(a), Constitution of India (bar on judicial review of delimitation orders)

[614] Kuldip Nayar v. Union of India, (2006) 7 SCC 1 (affirming institutional autonomy and finality of delimitation-related processes)

[615] Punishment for Progress: India's Electoral Redistricting Plan Deepens North-South Rift, Anadolu Agency, 5 Sept. 2023

[616] The Constitution (Forty-Second Amendment) Act, 1976, No. 42, Acts of Parliament, 1976 (India)

[617] The Constitution (Eighty-Fourth Amendment) Act, 2002, No. 84, Acts of Parliament, 2002 (India)

of parliamentary seats is still based on the 1971 Census[618], despite the Indian population increasing from 548 million in 1971 to 1.21 billion by 2011[619]. This discrepancy has distorted the federal balance, disproportionately benefiting slower-growing states at the expense of those with more rapid population growth. For instance, according to the 2011 Census, a Member of Parliament from Uttar Pradesh represents an average of 2.53 million people, whereas an MP from Kerala represents approximately 1.84 million[620]. Such significant differences clearly demonstrate how the principle of "one person, one vote" has been compromised[621].
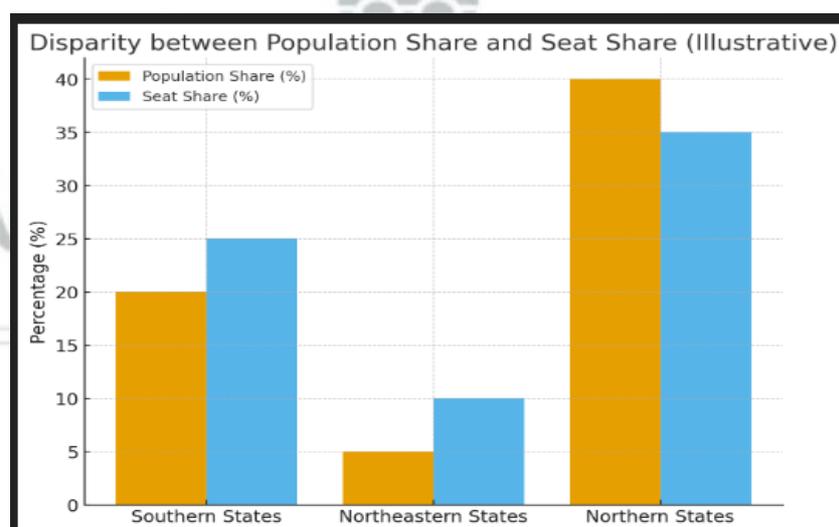
A comparative bar graph plotting the population share versus static seat share for states such as Uttar Pradesh, Bihar, and Rajasthan on one side, and Kerala and Tamil Nadu on the other, would visually highlight this imbalance[622].

These differences in representation have a significant impact on the dynamics of cooperative federalism, extending beyond mere numerical disparities. Faster-growing, underrepresented states, primarily located in the Hindi heartland, have less influence over federal policies and parliamentary decisions. In contrast, overrepresented states in the West and South maintain

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[618] The Delimitation Act, No. 33 of 1972, § 3, Gazette of India, Extraordinary, pt. II, sec. 1 (India)

[619] Office of the Registrar Gen. & Census Comm'r, India, Ministry of Home Affs., Census of India 2011: Provisional Population Totals—India Data Sheet (2011), https://censusindia.gov.in/2011-prov-results

[620] Election Comm'n of India, Statistical Report on General Elections, 2014 to the 16th Lok Sabha: Vol. I (2014), https://eci.gov.in/statistical-report/statistical-reports

[621] *See* Reynolds v. Sims, 377 U.S. 533, 558 (1964) (recognizing "one person, one vote" as essential to representational equality). *See also* S.R. Bommai v. Union of India, (1994) 3 S.C.C. 1 (India) (discussing federal balance and representative democracy in the Indian context

[622] Office of the Registrar Gen. & Census Comm'r, Ministry of Home Affs., Gov't of India, *Census of India 2011: Provisional Population Totals* (2011), https://censusindia.gov.in/2011-common/censusdata2011.html.

disproportionate bargaining power in federal negotiations and resource distribution. For example, states like Kerala, which comprise only 2.6% of the population, hold nearly 3.5% of the Lok Sabha seats. In comparison, Uttar Pradesh, with a population of about 16%, possesses only 14% of the seats[623].

Here is a graphical representation of the **population represented per Lok Sabha MP** *(based on 2011 census data).*
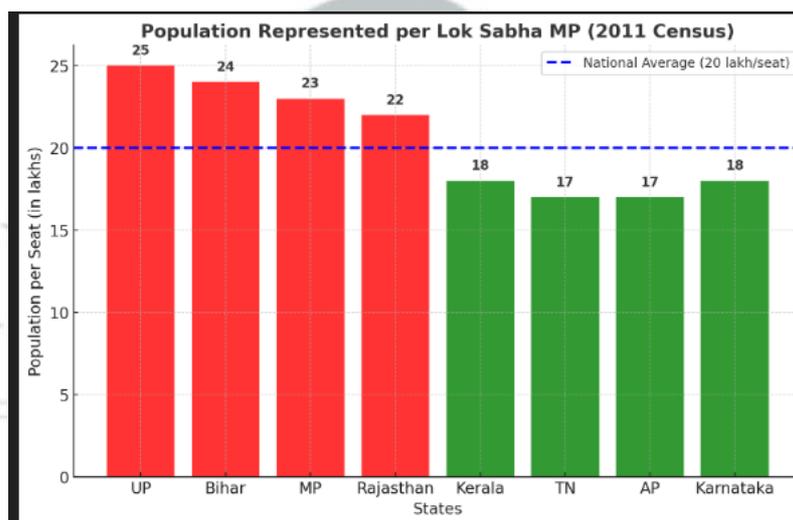
Electoral contests within states are seriously skewed on account of uneven population densities in different constituencies. In growth areas, the electorates in some constituencies are out of proportion, producing so-called *"mega-seats."* For example, in 2019, the Malkajgiri constituency in Telangana had more than 3 million registered voters, while Lakshadweep had less than 55,000[624]. This difference tilts the fairness of electoral contests and undermines the principle that one vote equals one vote. In addition, smaller constituencies also result in *"safe seats,"* which reduces the competitiveness of the elections and consolidates the strengths enjoyed by incumbents[625]. A graphical chart depicted the population represented by each Lok Sabha MP, according to the 2011 Census, it highlighted the unfairness in the electoral burden shared by constituencies[626].

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[623] Election Comm'n of India, Statistical Report on General Elections, 1971 to the Fifth Lok Sabha (1971), https://eci.gov.in/statistical-report/statistical-reports.

[624] Election Comm'n of India, Statistical Report on General Elections, 2019 to the 17th Lok Sabha (2019), https://eci.gov.in/statistical-report/statistical-reports.

[625] Yogendra Yadav, *Electoral Politics in the Time of Change: India's Third Electoral System, 1989–99*, 40 Econ. & Pol. Wkly. 2393, 2395–96 (2005) (discussing how constituency size and malapportionment affect competitiveness and safe seats).

[626] Office of the Registrar Gen. & Census Comm'r, Ministry of Home Affs., Gov't of India, *Census of India 2011: Provisional Population Totals* (2011), https://censusindia.gov.in/2011-common/censusdata2011.html.

The distortions further impact the representation of the minorities. The number of SC/ST's reserved constituencies is proportional to their population shares. But since delimitation was last carried out in 1971, the distribution of the reserved seats is no longer commensurate with today's realities. Though the SC population grew from 14.6% in 1971 to 16.6% in 2011, and that of ST from 6.9% to 8.6%, the number of reserved seats has been stuck in the same position[627]. This deficit has undermined meaningful representation for the two groups, especially where states have above-average growth rates. Minority and urban poor communities have a similar problem, as constituency limits no longer accurately mirror demographic changes brought about by massive migration and urbanization, further diluting their collective voice[628].

Historically, India attempted to tie representation to demographic change by delimitation at intervals following each census. The *first Delimitation Commission was formed in 1952, followed by commissions in 1963 and 1973*[629]. Yet, the freeze of 1976, which was justified as a safeguard for states that managed to successfully effect family planning programs, disrupted this sequence[630]. The *84th Amendment Act,2001,* prolonged the freeze until after the 2026 Census[631], such that India will have taken over five decades to not re-calculate its constituencies. This has made the regional imbalances structural, producing a representation system based on the demographic composition of 1971 and not India today[632].

The institutional structure of the Delimitation Commission adds to these issues. Although it is conceived as an autonomous institution, its orders are conclusive and outside the purview of judicial review under Article 329(a) of the Constitution of India[633]. In *Kuldip Nayar v. Union*

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[627] Office of the Registrar Gen. & Census Comm'r, Ministry of Home Affs., Gov't of India, *Census of India 1971: General Population Tables* (1973); Office of the Registrar Gen. & Census Comm'r, Ministry of Home Affs., Gov't of India, *Census of India 2011: Primary Census Abstract* (2013), https://censusindia.gov.in/2011-common/censusdata2011.html

[628] Christophe Jaffrelot, *India's Silent Revolution: The Rise of the Lower Castes in North India* 112–15 (2003); Niraja Gopal Jayal, *Democracy and the State: Welfare, Secularism and Development in Contemporary India* 178–80 (1999)

[629] Delimitation Commission Act, No. 81 of 1952, India Code; Delimitation Commission Act, No. 20 of 1962, India Code; Delimitation Act, No. 76 of 1972, India Code

[630] The Constitution (Forty-Second Amendment) Act, 1976, § 55, No. 101, Acts of Parliament, 1976 (India)

[631] The Constitution (Eighty-Fourth Amendment) Act, 2001, No. 2, Acts of Parliament, 2002 (India)

[632] See Niraja Gopal Jayal, *Representing India: Ethnic Diversity and the Governance of Public Institutions* 95–98 (2006) (discussing demographic imbalances caused by the freeze); Alistair McMillan, *Delimitation, Democracy, and End of Constitutional Freeze* 41 Econ. & Pol. Wkly. 123–27 (2006)

[633] INDIA CONST. art. 329(a)

of India, the Supreme Court reiterated the doctrine of finality, declaring that although delimitation has close to absolute immunity, judicial review can be initiated if constitutional requirements are contravened[634]. This highlights both the significance and susceptibility of the Commission's autonomy. Limited transparency, executive control over timing, and a lack of participatory mechanisms are claimed to have eroded its credibility by strengthening political perceptions of imbalance[635].

Together, these factors demonstrate that outdated constituency boundaries have weakened electoral competition, distorted the federal balance, and diluted the representation of marginalized communities. The cumulative effect is a structural distortion in India's democracy, where the principle of equal representation has eroded, leaving the system increasingly vulnerable to questions of legitimacy[636].

TECHNOLOGY AND CITIZEN ENGAGEMENT IN DELIMITATION

Delimitation in India today cannot remain credible if it continues to rely on outdated methods. The task of redrawing constituencies to reflect demographic realities has become increasingly complex, and modern tools like *Geographic Information Systems* and *digital demographic mapping* offer a way forward. These technologies make delimitation data-driven, transparent, and visually verifiable. Unlike paper maps and manual tabulations, GIS allows boundary designers to balance population equality with real-world considerations such as rivers, terrain, administrative limits, and settlement clusters[637]. By layering population density, electoral rolls, SC/ST concentrations, and urban expansion patterns, GIS helps reveal the trade-offs between compactness and community integrity. This visibility is essential because delimitation directly affects the value of votes, the federal balance between states, and ultimately the legitimacy of democratic representation. The process begins with reliable, high-resolution base data. Census enumeration blocks, cleaned electoral rolls, and verified boundary files form the foundation, supported by satellite imagery in rapidly urbanizing areas. Data must be standardized,

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[634] *Kuldip Nayar v. Union of India*, (2006) 7 S.C.C. 1 (India)

[635] Alistair McMillan, *Delimitation, Democracy, and End of Constitutional Freeze*, 41 Econ. & Pol. Wkly. 123–27 (2006)

[636] Niraja Gopal Jayal, *Representing India: Ethnic Diversity and the Governance of Public Institutions* 101–05 (2006)

[637] Anjali Busar, *Gerrymandering and GIS: A Comparative Study of India and USA*, 6 I.J.L.S.I. 355, 367–75 (2024)

geocoded, and accompanied by metadata to ensure accuracy and reproducibility[638]. The use of transparent formats like *GeoJSON* ensures public access and independent verification. When populations are mapped at the smallest feasible unit, constituency boundaries can be optimized in a way that balances equality with community preservation. Without this, the process risks arbitrariness and political manipulation. Designing fair constituencies also requires more than just equal numbers. Algorithms can help, but they must be guided by principles: contiguity, respect for administrative boundaries, compactness, and community cohesion[639]. Techniques such as integer programming, shortest splitline, or heuristic aggregation are useful, but their assumptions and weightings must be disclosed. Publishing diagnostics, such as maximum population deviations, compactness scores, and the number of administrative units split, allows citizens and experts to judge the fairness of the maps. In a democracy, opacity breeds suspicion, but transparency creates trust[640]. Technology, however, is only one half of the equation. Citizen participation must be woven into the process. Interactive public portals can display draft maps with toggled layers and allow citizens to submit georeferenced objections or even alternative maps. Offline methods, such as community hearings, local language workshops, and mobile feedback units, ensure that rural and marginalized voices are not excluded. Crucially, the Commission must respond publicly to inputs, showing how maps were altered or why suggestions were not adopted. This culture of reasoned explanation makes the process accountable, rather than perfunctory[641]. Global experience shows the benefits of this approach. In the United States, independent commissions rely heavily on GIS, publishing draft plans and inviting citizen-drawn alternatives[642]. Kenya has institutionalized public hearings where local realities shape electoral boundaries. These examples prove that technology can empower both administrators and citizens, making redistricting not just a technical exercise but a democratic one. For India, where representation is intimately tied to federal balance and social justice, the stakes are even higher. Integrating GIS with participatory mapping is not a luxury; it is a democratic necessity. Building such a framework requires institutions that are permanent, skilled, and transparent. A dedicated technical secretariat with geospatial experts, statisticians, and outreach officers would provide continuity and expertise. Open data rules would make

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[638] Mark J. Salling & Blake Esselstyn, *Redistricting: A Guide for the GIS Community* (2019).

[639] Brookings Institution, *Principles for Transparency & Public Participation in Redistricting* (July 2021), https://www.brookings.edu/articles/principles-for-transparency-and-public-participation-in-redistricting/

[640] Id.

[641] Anjali Busar, *Gerrymandering and GIS: A Comparative Study of India and USA*, 6 Indian J. Legal & Soc. Inquiry 355 (2024), https://ijlsi.com/gerrymandering-and-gis-a-comparative-study-of-india-and-usa/

[642] Brookings Institution, *Principles for Transparency & Public Participation in Redistricting* (July 2021), https://www.brookings.edu/articles/principles-for-transparency-and-public-participation-in-redistricting

every input, algorithm, and diagnostic available for independent scrutiny. Privacy safeguards would ensure that sensitive household data remains protected, while aggregated layers are shared for public oversight[643]. These steps would anchor delimitation in credibility rather than controversy. India already has experience with GIS-based projects, such as the Bhoomi Project in Karnataka, NECTAR's mapping initiatives in the northeast, and various land boundary and property demarcation efforts[644]. To capture this vision in concrete terms, a schematic GIS-based constituency map can serve as a powerful illustration of how layered data and visual diagnostics make the delimitation process both transparent and comprehensible. Such a map would display a base layer of population density, overlaid with demographic details such as SC/ST concentrations, urban growth zones, and key transport corridors. Proposed constituency boundaries could then be traced across these layers, annotated with indicators like population deviation percentages and compactness scores.
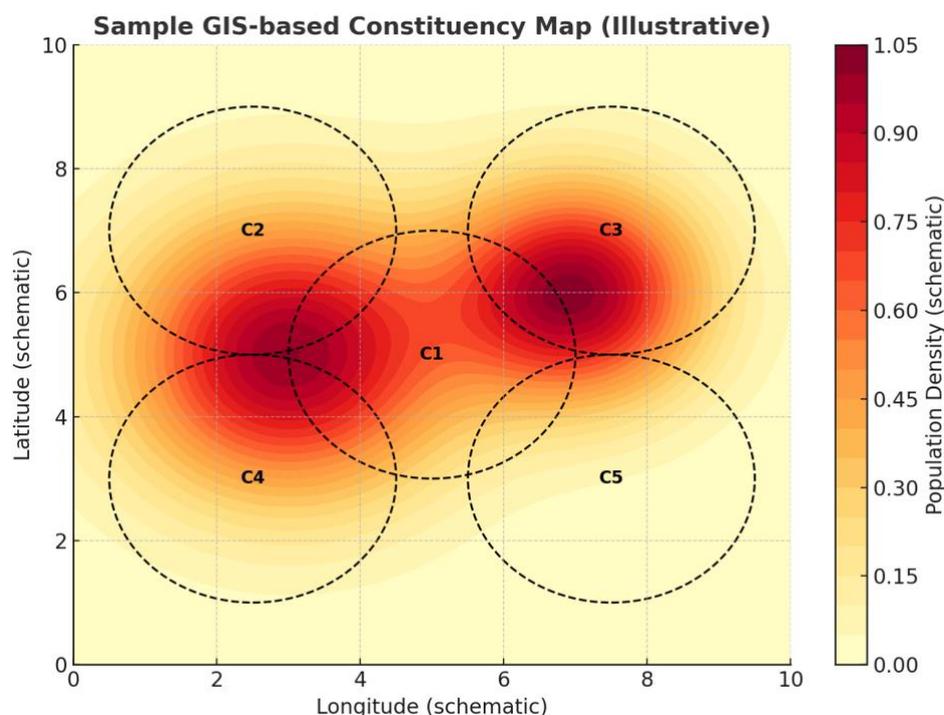
By making visible the trade-offs between equality, geography, and community integrity, the map transforms an otherwise technical process into something that citizens and experts alike can evaluate and trust[645].

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[643] RGICS, *Progress in India's Land Boundary Mapping: Project Examples & GIS Practices* (2023), https://www.rgics.org/environment/progress-in-indias-land-boundary-mapping/

[644] Rajiv Gandhi Institute for Contemporary Studies (RGICS), *Progress in India's Land Boundary Mapping: Project Examples & GIS Practices* (2023), https://www.rgics.org/environment/progress-in-indias-land-boundary-mapping/

[645] Mark J. Salling & Blake Esselstyn, *Redistricting: A Guide for the GIS Community* 12–16 (2019), available at Cleveland State Univ. Engaged Scholarship, https://csuohio.elsevierpure.com/en/publications/redistricting-a-guide-for-the-gis-community

Sample GIS-based Constituency Map (Illustrative)

Superimposed on this heat map are dashed circles representing five constituencies (C1–C5), each designed to encompass different population clusters. This visualization highlights how GIS tools can help balance population equality across constituencies while accounting for geographical distribution.

India cannot wait until 2026 to rethink how delimitation is carried out. Piloting GIS-based, participatory methods in select states would allow refinement before nationwide rollout. Success should be measured not just by mathematical precision, but by inclusivity, public engagement, and independent verification. In an era where democratic legitimacy depends on fairness and transparency, the integration of technology and citizen voice into deliberation is both urgent and unavoidable[646].

COMPARATIVE INTERNATIONAL PRACTICES AND LESSONS FOR INDIA

Delimitation is far more than a technical cartographic practice; it is a highly political practice that defines the nature of democratic representation itself. As a compiler based on *comparative experiences* in more advanced regimes of redistricting, *three key pillars of credibility* have been identified, including independent institutions, transparent and rule-based methodologies, and

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[646] Anjali Busar, *Gerrymandering and GIS: A Comparative Study of India and USA*, Int'l J. Legal Sci. & Innovation (2024), https://ijlsi.com

significant levels of public participation[647]. These lessons are especially good in the case of India, where the delimitation has long been procrastinated, and where it is frequently regarded with suspicion of executive influence. They not only point out what must change, but also how trust can be restored in a process that is at the core of representative democracy.

It is one of the obvious lessons during the overseas experience that the insulating effect of redistricting agencies has on day-to-day politics. *In Canada, the UK, and South Africa,* commissions are statutorily independent, multi-member, and are appointed by focusing on energy, dissipating the partisan capture[648]. In India, on the contrary, the system is based on ad-hoc commissions formed by the executive. Nor is it beyond imagination to envision a more robust and permanent, statutory commission with open-minded appointment processes through which the judicial, legislative, and technical benefits of scale can be achieved in India[649]. An ongoing body is the assurance of continuity; it creates institutional memory and minimizes ad-hoc improvisation.

The importance of transparency and rules that are properly codified is also of utmost importance. This is because comparative models have explicit, prioritized, and measurable criteria, such as population parity, compactness, and respect of administrative boundaries, which are implemented with tolerances[650]. In the case of India, the ambiguous constitutional text under Article 82 has provided ample discretion, which has created an mark in paraimpression of arbitrariness[651]. Making all methodologies transparent in the statute in codifying delimitation standards and ensuring that each draft map is defended on objective metrics would not only reduce manipulation but also face expert and civic scrutiny. Openness makes redistricting a democratic process that is open to scrutiny[652].

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[647] *Principles for Transparency and Public Participation in Redistricting*, Brookings Institution (2021), https://www.brookings.edu

[648] Lisa Handley, *A Comparative Analysis of Redistricting Institutions in Democracies Worldwide*, 52 Election L.J. 1 (2018

[649] Anjali Busar, *Gerrymandering and GIS: A Comparative Study of India and USA*, Int'l J. Legal Sci. & Innovation (2024), https://ijlsi.com

[650] Organisation for Economic Co-operation and Development, *Constitutions in OECD Countries: A Comparative Study* (2022), https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/02/constitutions-in-oecd-countries-a-comparative-study_3fd8dba8/ccb3ca1b-en.pdf

[651] Vasudev Devadasan, *Delimitation – Constitutional Law and Philosophy*, Constitutional Law and Philosophy (June 9, 2025), https://indconlawphil.wordpress.com/category/delimitation/.

[652] Oxford Research Encyclopedia of Politics, *Transparency in Public Administration*, May 29, 2020, https://oxfordre.com/politics/display/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-1404

Such openness is given by technology. Contemporary commissions are based on GIS services, replicable datasets, and interactive mapping instruments[653]. India ought to also make three main investments: a clean block-level census and electoral information[654], an open-data portal that people can access[655], and version-controlled maps with shapefiles that anyone can download[656]. The results of such an ecosystem can be viewed interactively, competing proposals can be compared, and impacts may be objective[657]. More importantly, it gives civil society, researchers, and the common people the power to analyze and even suggest alternative boundaries and make transparency a real accountability[658].

The participation of the people also needs to shift out of symbolic hearings. The most powerful models institutionalize *multi-modal interaction*: citizen-generated maps, official response mandates by commissions, and local hearings, which in fact influence results[659]. In the case of India, it would entail outreach informing in more than one language in the rural and urban regions, statutory minimum consultation times, and a requirement that the reasons as to why the objections were or were not granted[660]. Once visible and tangible impacts are generated through a consultation process, this enhances the legitimacy and curbs any opposition to hard redistributed matters[661].

Meanwhile, the judicial review should balance it[662]. As the latter requires finality to avoid electoral paralysis, the latter also requires total insulation to make the review a lost cause[663]. The international practice is inclined toward the restricted judicial review, i.e. to the procedural

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[653] India GIS Datasets / ML Infomap, University of Pennsylvania Libraries (Jan. 23, 2023), https://guides.library.upenn.edu/IndiaGISdatasets

[654] Id.

[655] Id.

[656] Id.

[657] Mahmood Khosrowjerdi, *Good Governance and National Information Transparency: A Comparative Study of 117 Countries*, arXiv (Oct. 24, 2022), https://arxiv.org/abs/2210.13151

[658] Vasudev Devadasan, *Federalism – Constitutional Law and Philosophy*, Constitutional Law and Philosophy, https://indconlawphil.wordpress.com/tag/federalism/

[659] OECD, *Constitutions in OECD Countries: A Comparative Study* (2022), https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/02/constitutions-in-oecd-countries-a-comparative-study_3fd8dba8/ccb3ca1b-en.pdf

[660] Id.

[661] Id.

[662] Vasudev Devadasan, *Delimitation – Constitutional Law and Philosophy*, Constitutional Law and Philosophy (June 9, 2025), https://indconlawphil.wordpress.com/category/delimitation/

[663] Id.

fairness, breach of the statutory requirements, or corruption[664]. India might follow such an exemplary formula: keeping things in check and yet offering a constitutional safety valve in case of existential irregularities[665].

It is not easy to adapt such lessons to India[666]. Its large size of demographic, diversity in administration, and differences in size between large and small states make it difficult to make direct transplants of foreign practices[667]. The bigger states require finer data and computational power, whereas the smaller states are afraid they will lose their representation in Parliament[668]. The solution to these issues is to have a gradual implementation process, test launch in a few states, technical centers in the region, and hybrid allocation formulas that combine population parity with minimal federal balancing[669]. These incremental and adaptive strategies are useful in dealing with the logistical as well as political opposition[670]. Federal sensitivities also require a cautious institutional design[671]. Experience demonstrates that intergovernmental consultation is more legitimate when structured[672]. India may codify institutionalized inputs at the state level and grant the ultimate power to the independent commission. Transitional provisions like linking the redistribution of seats with transfers of the Finance Commission would cushion states with representational or fiscal losses. That way, asymmetries of federalism are recognized without compromising the principle of equal representation.

Sequencing is also significant[673]. The first reform steps must be a legislative clarification of the process of appointments and a delimitation criterion, and, subsequently, the formation of a permanent technical secretariat and an open-data infrastructure. Pilot projects should then be

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[664] OECD, *Constitutions in OECD Countries: A Comparative Study* (2022), https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/02/constitutions-in-oecd-countries-a-comparative-study_3fd8dba8/ccb3ca1b-en.pdf

[665] Id.

[666] A.K. Verma, *Delimitation in India: Methodological Issues*, 41 Econ. & Pol. Weekly 794 (Mar. 4–10, 2006), https://www.jstor.org/stable/4417903

[667] Sanjay Kumar, *Delimitation on Basis of 2001 Census: Damage Control Exercise*, 38 Econ. & Pol. Weekly (May 10–16, 2003), https://www.jstor.org/stable/4413540

[668] Id.

[669] Mahmood Khosrowjerdi, *Good Governance and National Information Transparency: A Comparative Study of 117 Countries*, arXiv (Oct. 24, 2022), https://arxiv.org/abs/2210.13151

[670] Id.

[671] Vasudev Devadasan, *Federalism – Constitutional Law and Philosophy*, Constitutional Law and Philosophy, https://indconlawphil.wordpress.com/tag/federalism/

[672] OECD, *Constitutions in OECD Countries: A Comparative Study*, supra note 3

[673] Vasudev Devadasan, *Delimitation – Constitutional Law and Philosophy*, Constitutional Law and Philosophy (June 9, 2025), https://indconlawphil.wordpress.com/category/delimitation/

used to experiment with the application of GIS-based mapping and participatory hearings[674], and then replicated on a national scale[675]. The stages need to be evaluated against quantifiable standards, e.g., the decrease in deviations within the population or the growth in the number of verifiable submissions by the citizens[676]. This step-by-step process helps to avoid reforms falling on their own weight.

Lastly, communication is just as essential to political feasibility as is design[677]. The open processes, the open public communication, and the available visualizations of trade-offs would also decrease the level of suspicion and make redistribution seem less objectionable. Ownership can be shared through the establishment of a cross-party parliamentary oversight mechanism to receive reports by the Commission, as this may help to curb the feeling of executive domination. Reform should thus be more of a matter of trust-building than map-drawing.

Simply put, the world experience has shown India three timeless lessons, including institutionalizing independence, instilling transparency in rules and open data, and meaningful involvement[678]. In the case of India, the way ahead is not in wholesale imitation but in judicious adaptation, redefining these principles to its federal form, its population size, and its politics[679]. Properly done, this kind of reform can legitimize delimitation anew, help Americans have trust in their representatives again, and cement the democratic principles of the republic[680].

TOWARDS A REFORM-ORIENTED MODEL OF DELIMITATION FOR INDIA

An integrated reform model should combine constitutional values with an institutional fix and technical innovation in such a way that delimitation can bring back proportionality without

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[674] India GIS Datasets / ML Infomap, University of Pennsylvania Libraries (Jan. 23, 2023), https://guides.library.upenn.edu/IndiaGISdatasets

[675] Mahmood Khosrowjerdi, *Good Governance and National Information Transparency: A Comparative Study of 117 Countries*, arXiv (Oct. 24, 2022), https://arxiv.org/abs/2210.13151

[676] OECD, *Constitutions in OECD Countries: A Comparative Study* (2022), https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/02/constitutions-in-oecd-countries-a-comparative-study_3fd8dba8/ccb3ca1b-en.pdf

[677] Vasudev Devadasan, *Federalism – Constitutional Law and Philosophy*, Constitutional Law and Philosophy, https://indconlawphil.wordpress.com/tag/federalism/

[678] A.K. Verma, supra note 2

[679] OECD, supra note 6

[680] Mahmood Khosrowjerdi, supra note 5

offending federal sensibilities[681]. The task is straightforward but challenging: to ensure that the seat assignment and the boundary drawing become transparent and inclusive data in time, in such a manner that the representation of the population becomes accountable for the demographic truth and that the trust of people towards the process is restored[682]. The succeeding paragraphs describe why each of the components is required, how it would operate, and what are the practical decisions that need to be taken to make it happen at scale[683].

The first thing to do is to increase the institutional independence since independence lacking credibility is suspect[684]. The Commission must be created on a more permanent statutory basis with a limited size of a core of multi-member with a professional technical secretariat[685]. A judicially nominated chair, a senior election official, and two independent experts (one demographer, one GIS specialist), and non-voting civil society observers may be in the core membership[686]. The appointment must be clear, and a cross-institutional selection panel, which incorporates judicial and parliamentary representation, should be used to take away the unilateral control of the executive[687]. Embossed tenure strong removal provisions eliminate conflict-of-interest provisions, and institutional memory among delimitation cycles will be formed.

The second periodic and automatic revisions that will be tied to the decennial census will eliminate the occurrence of long freezes and increase in malapportionment[688]. This in practice implies statutory triggers whereby the Commission has to initiate a delimitation exercise within

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[681] Vasudev Devadasan, *Thinking Through Delimitation Part V: Independence and Integrity of the Delimitation Exercise*, Constitutional Law and Philosophy (June 9, 2025), https://indconlawphil.wordpress.com/2025/06/09/thinking-through-delimitation-part-v-independence-and-integrity-of-the-delimitation-exercise/

[682] A.K. Verma, *Delimitation in India: Methodological Issues*, 41 Econ. & Pol. Weekly 794 (Mar. 4–10, 2006), https://www.jstor.org/stable/4417903

[683] Sanjay Kumar, *Delimitation on Basis of 2001 Census: Damage Control Exercise*, 38 Econ. & Pol. Weekly (May 10–16, 2003), https://www.jstor.org/stable/4413540

[684] OECD, *Constitutions in OECD Countries: A Comparative Study* (2022), https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/02/constitutions-in-oecd-countries-a-comparative-study_3fd8dba8/ccb3ca1b-en.pdf

[685] Office of the Principal Scientific Adviser to the Government of India, *Liberalized Mapmaking and Geospatial Data to Spur Development Across Sectors*, PSA India (Oct. 27, 2022), https://www.psa.gov.in/article/liberalized-mapmaking-and-geospatial-data-spur-development-across-sectors/3584

[686] India GIS Datasets / ML Infomap, University of Pennsylvania Libraries (Jan. 23, 2023), https://guides.library.upenn.edu/IndiaGISdatasets/IndiaElectionsGIS

[687] Constitution of India, art. 329A, https://www.constitutionofindia.net/constitution_of_india/part_xii/article_329a

[688] Raphael Susewind, *GIS Shapefiles for India's Parliamentary and Assembly Constituencies Including Polling Booth Localities*, Univ. of Bielefeld (2014), https://pub.uni-bielefeld.de/record/2674065

a timeframe after release of census findings (such as 6-12 months) and release draft maps within another statutory period (such as 9-12 months)[689]. When constitutional changes are needed politically to change seat allocation formulae, they must be sought in parallel, but the working pace may be fixed by statute so that the technical machinery is not tied up by political lethargy[690]. Strong data reconciliation measures between census blocks and the electoral roll should be required, such that there are checks on the population counts that are used to determine the number of seats apportioned[691].

Third, make GIS and participatory mapping central to the methodology since transparency and reproducibility require technology[692]. The Commission will have to introduce a policy of open data disclosure that publishes clean geocoded census blocks, electoral roll shapefiles, and administrative boundaries in a machine-readable format[693]. Viewable as interactive maps with downloadable layers and diagnostics containing population deviation statistics, compactness measures, and group split counts, and signs of concentrated population groups should be published in all draft plans. Algorithms that are applied to create optimised proposals are to be documented and made public so that expert groups can replicate findings[694]. Notably, the technical pipeline should be complemented by a public portal that is easily available to the citizens who are able to see the layers and submit georeferenced objections and upload alternative maps that will be compared algorithmically against its objective function by the Commission[695].

Fourth, design federal protection to control the sensitivity of interstate changes in restoring proportionality[696]. A sudden movement of seats may become politically destabilising when it is undertaken in a single step, thus ensuring a slow approach. These may be a gradual correction

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[689] Sahil Kale et al., *A Modern Approach to Electoral Delimitation Using the Quadtree Data Structure*, arXiv (Feb. 2024), https://arxiv.org/abs/2402.09336

[690] Survey of India, *Digital Vector Database - Entire Country - Scale 1:1M*, https://onlinemaps.surveyofindia.gov.in/AboutPortal.aspx

[691] UN Statistics Division, *Handbook on Geographic Information Systems and Digital Mapping*, https://unstats.un.org/unsd/demographic/standmeth/handbooks/series_f103en.pdf

[692] Election Commission of India, *World's Largest Electoral Dataset Initiative*, YouTube (Apr. 2023), https://www.youtube.com/watch?v=JzZhBhl8fv0

[693] Survey of India, *Nakshe Portal*, https://datameet.org/category/map/

[694] Id.

[695] Id.

[696] Milan Vaishnav & Jamie Hintson, *India's Emerging Crisis of Representation*, Carnegie Endowment for Int'l Peace (Mar. 14, 2019), https://carnegieendowment.org/2019/03/14/india-s-emerging-crisis-of-representation-pub-78588

incorporated over two delimitation cycles or a two-formula weighting of the population heavily (say 75) and a small (say 25) constitutional/federal buffer to provide smooth sailing[697]. The sudden resource shock to the state that loses relative representation can be offset by transitional fiscal adjustments associated with the disbursements of the Finance Commission[698]. Any federal protection should be clear but not too prolonged and calculated clearly to avoid being an ongoing perversion.

Fifth, make sure that those marginalized are included in the process by ensuring that protections are procedural and data-driven. The reservation of SC/ST seats should be recalculated with the help of the existing demographic layers with micro-level mapping of cluster concentrations[699]. Community impact assessment of key boundary changes that are expected to change the ways of accessing political influence services and administrative coherence in SC/ST minorities and other vulnerable populations should be obligatory for the Commission. Outreach teams are required to be deployed to seek the inputs of the marginalised communities in their languages, and the Commission ought to publish reasoned responses of how these inputs influenced the final plan[700].

Sixth, adhere to a realistic and auditable phased roadmap of implementation[701]. Short-term actions will consist of legal housekeeping, which clarifies the data disclosure requirements and standards of statutory schedules on appointments. Some of the short-term activities include piloting GIS pipelines in some of the states, constructing a standing technical secretariat, and open data publication[702]. Medium-term measures would state the weightings of criteria, ratify appointment procedures, and increase pilots. Long-term work includes total delimitation nationwide, following the census and independent auditing, and post-delimitation auditing[703]. There must be a deliverables budget and technical audit on a phase-by-phase basis.

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[697] *Delimitation, Democracy, and Federalism: Options and Solutions*, The India Forum, https://www.theindiaforum.in/public-policy/delimitation-democracy-and-federalism-options-and-solutions
[698] Id.
[699] Achin Chin, *The Redistributive Effects of Political Reservation for Scheduled Castes and Scheduled Tribes* 4–7, https://www.uh.edu/~achin/research/w16509.pdf
[700] Id.
[701] *Delimitation Exercise in India: Balancing Democracy and Federalism*, ForumIAS, https://forumias.com/blog/delimitation-exercise-in-india-balancing-democracy-and-federalism-explained-pointwise/
[702] Id.
[703] *Delimitation and Discrimination: Balancing Federalism and Representation in India's Democracy*, The Study IAS, https://www.thestudyias.com/blogs/delimitation-and-discrimination/

Seventh, set to measure tracking and evaluation of success. Such core indicators as malapportionment index (population per seat difference), median and maximum population deviation per constituency, number and diversity of georeferenced public submissions, proportion of public submissions receiving reasoned reply, transparency index of data and methodologies, and reproducibility scores of independent audit should be provided[704]. Technical measures may be supplemented with political and social measures, such as survey measures of people trusting the delimitation and formal grievances upheld[705].

Eighth, address political feasibility in advance by formulating mitigation. Expect resistance by staged correction, transitional fiscal compensation, expressly sunset clauses on federal buffers, party parliamentary oversight, and an effective public communications policy that visualizes trade-offs[706]. Independent audits and pilot results will provide a historical track record and make obstruction less desirable. Legitimacy will also be established through the inclusion of stakeholder consultations before major statutory changes.

Ninth, consider the legal and constitutional aspects. There are aspects like the internal procedure, public data rules, and appointment procedures that can be attained through the statute. Amendment to seat allocation principles or permanent change to Article provisions can be required to be amended to the constitution[707]. In areas where the amendments are politically challenging, the procedural and technical reforms by the Commission should continue to take place so that there is technical capacity and a transparent culture when constitutional windows open.

Tenth, give the graphical projection of the timeline as an interpretation tool. The suggested figure would represent the years in the horizontal axis as 2026-2050 and the vertical axis as a representation measure of choice in average population per seat or percentage variance of target

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[704] Ursula Daxecker, *Malapportionment and Election Violence in India*, 69 *J. of Peace Research* 1 (2020), https://journals.sagepub.com/doi/10.1177/0022343319884985

[705] Ronojoy Sen, *Delimitation of Constituencies in India: Southern States Up in Arms*, ISAS Paper No. 2025/15, https://www.isas.nus.edu.sg/papers/delimitation-of-constituencies-in-india-southern-states-up-in-arms/

[706] *A Primer on the Delimitation Process*, Vidhii Legal Policy, https://vidhilegalpolicy.in/wp-content/uploads/2025/03/Where-do-we-draw-the-line.pdf

[707] *Delimitation and Discrimination: Balancing Federalism and Representation in India's Democracy*, The Study IAS, https://www.thestudyias.com/blogs/delimitation-and-discrimination/

parity[708]. Two curves pass over the period: a Current Freeze scenario of slow drift or stable distortion, and a Reformed Model scenario of a correction stage after each triggered delimitation, with markers where transitional buffers are found[709]. This would be annotated with legal changes in policy events and pilot outcomes and would be built up using census population projection, seat allocation regulations, and the selected smoothing parameters[710]. This illustration brings about the implications of various policy decisions to the stakeholders and policymakers intuitively.

All these elements together constitute a technically sound and politically sensitive reform-based model[711]. Making sure it is implemented in a staged roadmap that has definite measurements and making sure it engages the people openly, the model will be able to restore proportionality, safeguard federal harmony, and enhance democratic legitimacy. The urgency is pragmatic: there is only a short political window to turn these reforms into a long-lasting structure of fair representation.

DISCUSSION AND THEORETICAL IMPLICATIONS

The discussion synthesizes the *doctrinal, institutional, and comparative* understanding gained in this study and places it within the broader debates on democracy, federalism, and constitutional design. It recalls the main research questions, such as (a) whether the delimitation regime in India can provide equal representation, (b) what institutional and political limits curtail the ability to provide equal representation, and (c) what normative directions are needed to bring back legitimacy, proportionality, and federal balance. Instead of paraphrasing the empirical facts, this section elicits the theoretical conclusions, concentrating on three dimensions that are interdependent upon each other: institutional design and accountability, constitutional theory, and electoral equality.

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[708] Ronojoy Sen, *Delimitation of Constituencies in India: Southern States Up in Arms*, ISAS Paper No. 2025/15, https://www.isas.nus.edu.sg/papers/delimitation-of-constituencies-in-india-southern-states-up-in-arms/

[709] *A Primer on the Delimitation Process*, Vidhii Legal Policy, https://vidhilegalpolicy.in/wp-content/uploads/2025/03/Where-do-we-draw-the-line.pdf

[710] *Thinking Through Delimitation Part V: Independence and Integrity of the Delimitation Exercise*, Indian Constitutional Law and Philosophy, https://indconlawphil.wordpress.com/2025/06/09/thinking-through-delimitation-part-v-independence-and-integrity-of-the-delimitation-exercise/.

[711] *Parliamentary Representation, Resource Sharing, and Federalism: The Case of India*, Economic and Political Weekly, https://www.epw.in/journal/special-articles/parliamentary-representation-resource-sharing-and.html

With respect to institutional design and accountability, the data show that despite the fact that the Delimitation Commission was designed as an independent and insulated institution, the functional autonomy of the institution has been undermined through relying on executive timing, less disclosures, and a lack of professionalised technical infrastructure[712]. This makes the Commission formally independent and substantially vulnerable because of the unreviewable finality and opaque procedures[713]. Much of this requires reform, thus not to protect it but to incorporate a culture of openness and repeatability. It should be followed by three key solutions, namely, legislative clarity in appointments and term, establishment of a standing technical secretariat to maintain institutional memory, and mandatory data and GIS maps publication, along with argumentative reactions to the objections[714]. By so doing, it will transfer the responsibility of accountability through *ex post judicial intervention to ex ante transparency and procedural integrity[715]*.

The findings on constitutional theory highlight a profound conflict between two imperatives: the constitutional promise of equal representation and the imperative of structural maintenance of federal stability[716]. The consistency of the judicial decisions that have maintained the finality of delimitation orders is a valid issue of ensuring that elections are not paralyzed[717]. However, they equally run the risk of making permanent the misstatements made by extensive freezes and old-fashioned allocations[718]. The theoretical implication here is that judicial non-interference should be redefined as deference in moderation. The factual finality of delimitation should be maintained in the courts, with only a narrow jurisdiction left to work out the manifest arbitrariness, procedural flaws, or even the failure to keep the equality guarantees[719]. This would be respectful of the Separation of Powers without being detrimental to the values of the Constitution. The sequencing of reforms does count: it is possible to implement procedural and transparency reforms by statute, whilst structural issues like the formula of seat allocation could eventually be unanimously constitutionalised[720].

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[712] **Granville Austin**, *The Indian Constitution: Cornerstone of a Nation* (Oxford Univ. Press 1966)

[713] Suhas Palshikar, Representation and Democracy in India, 40(36) *Econ. & Pol. Wkly.* 3929 (2005)

[714] **S.P. Sathe**, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* (Oxford Univ. Press 2002).

[715] **Granville Austin**, *The Indian Constitution: Cornerstone of a Nation* (Oxford Univ. Press 1966)

[716] Granville Austin, *Working a Democratic Constitution: A History of the Indian Experience* 288–92 (Oxford Univ. Press 1999)

[717] *Kuldip Nayar v. Union of India*, (2006) 7 S.C.C. 1 (India)

[718] *Indira Nehru Gandhi v. Raj Narain*, 1975 Supp. S.C.C. 1 (India)

[719] S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* 124–28 (Oxford Univ. Press 2002)

[720] M.P. Jain, *Indian Constitutional Law* 907–12 (8th ed. 2018).

The analysis shows that on the electoral equality and democratic legitimacy, old boundaries create malapportionment, competition distortion, and minority weak representation[721]. Equal representation cannot be interpreted in the strictly numerical sense that has no substantive inclusivity. Rather, there should be a proportion between proportionality and the protection of marginalized groups and the integrity of the community[722]. This mandates more subtle approaches- including micro-level demographic mapping of the reserved constituencies, socio-economic impact analysis of boundary alteration and incorporation of community issues with population in boundary design, where constitutionally allowed. The means to achieve this vision are technology and participation: GIS-based mapping will allow visualizing trade-offs, whereas participatory mechanisms will result in local knowledge and lived realities being used to make decisions[723]. Such actions increase the fairness of processes as well as the validity of results.

The comparative practice provides helpful advice with reservations. In other democracies, independent commissions emphasise open data, transparent rules, and participation of citizens[724]. But India is too big and has an asymmetrical federal arrangement, which does not allow wholesale transplantation[725]. Rather, it is taught that best practices need to be regulated in context. This paper promotes two innovations to the federal-demographic consequences of India: a hybrid formula of seat allocation that is based on population equality and a modest federal buffer (to avoid destabilizing redistributions), and a gradual reform agenda that starts with pilot schemes and capacity building before nationwide implementation[726]. The larger lesson of comparative electoral law is that the institutions of electoral law should be context-specific and should incorporate the criteria of fairness with the conditions of federalism and demographic pluralism[727].

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[721] Suhas Palshikar, Representation and Democracy in India, 40(36) *Econ. & Pol. Wkly.* 3929, 3931–32 (2005)

[722] Rajeev Bhargava, The Politics of Representation in the Indian Democracy, in *Politics and Ethics of the Indian Constitution* 14, 23–25 (Oxford Univ. Press 2009)

[723] Delimitation Commission of India, *Guidelines for Delimitation Using GIS Technology* (Election Comm'n of India 2008)

[724] Rafael López-Pintor, *Electoral Management Bodies as Institutions of Governance* (United Nations Development Programme 2000).

[725] Sujit Choudhry, *Constitutional Design for Divided Societies: Integration or Accommodation?* (Oxford Univ. Press 2008)

[726] M.P. Jain, *Indian Constitutional Law* (7th ed. 2015)

[727] E. Sridharan, *The Representation of India's Diversity: Federalism and Electoral System Design*, 47 *India Rev.* 1 (2017)

Combined, the theoretical inferences of this work are three. To begin with, delimitation shows that the democratic legitimacy is based as much on clear and reliable procedures as it is on the outcome[728]. Second, it shows that technocratic expertise, although a prerequisite, should be integrated into participatory structures in order to become democratically acceptable[729]. Third, it redefines the issue of federalism and representation: instead of being mutually hostile, equal representation and federal voice can co-exist on the condition that special-purpose, specially crafted, temporal, and compensatory mechanisms are in place[730].

The way ahead presupposes long-term research and policy experimentation: the modelling of other formulas of seat reallocation, the testing of GIS-facilitated participatory mapping systems, and the clarification of the principle of judicial review in a system of the basic structure doctrine[731]. The normative conclusion is obvious. India needs a constitutional adjustment, rather than a technical one, which is a reform to its delimitation system. India can only ensure that the representative nature of its democracy is preserved in the coming decades by achieving proportionality, inclusivity, and federal balance by employing legal, institutional, and technological reforms[732].

CONCLUSION

As this paper has shown, the issue of delimitation in India, as constitutionally formulated to protect representative equality, has been significantly influenced by political compromise and institutional constraints. Although the constitutional and statutory design aimed to strike a balance between proportional representation and federal diversity, the power of the executive, transparency, and meaningful public involvement have weakened the autonomy of the Delimitation Commission. The long-standing stalemate on adjusting the seat has added more inequity between the high-growth and demographically stable states, as it has undermined the principle of equal representation and the ethos of cooperative federalism. Simultaneously, the

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[728] Richard L. Hasen, *The Voting Wars: From Florida 2000 to the Next Election Meltdown* (Yale Univ. Press 2012)

[729] Pippa Norris, *Why Elections Fail* (Cambridge Univ. Press 2015)

[730] Alfred Stepan, Juan J. Linz & Yogendra Yadav, *Crafting State-Nations: India and Other Multinational Democracies* (Johns Hopkins Univ. Press 2011)

[731] Sujit Choudhry, Madhav Khosla & Pratap Bhanu Mehta, *The Oxford Handbook of the Indian Constitution* (Oxford Univ. Press 2016)

[732] Yogendra Yadav, *Representation and Redistribution: The Delimitation Debate in India*, 45 *Econ. & Pol. Wkly.* 54 (2010)

research has highlighted the possibilities of technological advances like GIS mapping, credible demographic integration, and online consultations to make the results more accurate and inclusive. The experience of other jurisdictions, like the United Kingdom, the United States, and Australia, demonstrates how independent boundary commissions and participatory safeguards can provide legitimacy and avoid partisan interference. It is in this context that reform should be under a transparent, gradual, and consultative process that will restore balance in representational levels without laying emphasis on federal sensibilities. Delimitation should not be eventually considered as a technical act of redrawing boundaries, but as a constitutional process, which is necessary to maintain both the democratic ideology of equality and the federalism of the Indian polity.

Combined, the paper finds that delimitation is not a simple technical process of redrawing boundaries, but a constitutional process that is at the heart of the vigour of Indian democracy and federalism. Suspension of delimitation has resulted in distortions that challenge the two principles, but the impending reinstatement is a chance to restore the promise of the Constitution. India can have both a stable and equitable model through the integration of technological innovation, best practices that are comparative, and institutional safeguards into the process. The solution lies in the fact that delimitation needs to be considered a constitutional test of the Republic's ability to reconcile between democracy and diversity, equality and federal balance, such that all representation can be fair and legitimate in a shifting federal polity.