Prelims and Mains focus: about the move and its significance; about Delimitation Commission of India: composition and mandate

News: About six months after the State of Jammu and Kashmir was split into the Union Territories of J&K and Ladakh, the government moved to start the delimitation of Assembly constituencies in J&K.

Background

The Election Commission had held a meeting in August 2019 to discuss the delimitation process and enrolled two officials who had worked on previous delimitation exercises.

J&K Reorganisation Act

- As per the Jammu and Kashmir Reorganisation Act, 2019, which was passed by Parliament on August 5, 2019 and came into effect on October 31, the Union Territory of J&K will have an Assembly, while Ladakh will not.

- The Act further said the number of seats in the Assembly of J&K would be increased from 107 to 114 after delimitation, on the basis of the 2011 Census.

- The Election Commission was ready to provide secretarial assistance to the Delimitation Commission once appointed, as it is required to do.

What is meant by delimitation?

- Delimitation literally means the act or process of fixing limits or boundaries of territorial constituencies in a country or a province having a legislative body.
The job of delimitation is **assigned to a high power body**. Such a body is known as **Delimitation Commission or a Boundary Commission**.

**About Delimitation Commission of India**

- The Delimitation Commission in India is a high power body **whose orders have the force of law** and **cannot be called in question before any court**.

- These orders come into force on a date to be **specified by the President of India** in this behalf. The **copies of its orders are laid before the House of the People and the State Legislative Assembly concerned**, but **no modifications are permissible therein by them**.

- In India, such Delimitation Commissions have been **constituted 4 times** – in **1952** under the Delimitation Commission Act, 1952, in **1963** under Delimitation Commission Act, 1962, in **1973** under Delimitation Act, 1972 and in **2002** under Delimitation Act, 2002.

- According to the **Delimitation Commission Act, 2002**, the Delimitation Commission **appointed by the Centre** has to have **three members**:
  1. a serving or retired judge of the Supreme Court as the **chairperson**, and
  2. the Chief Election Commissioner or Election Commissioner nominated by the CEC, and
  3. the State Election Commissioner as ex-officio members.