

Delimitation

Unfair or discriminatory?



An Exclusive Report of
SPECT Research Association

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Fair Delimitation!

Parliament is the heart of any modern democracy. Fair representation with the ratio of the demographic distribution of various social groups is the core idea for a functional democracy to achieve its goal of development with equity and justice.

To make parliament representative of all sections of society in proportion to the demographic ratio delimitation is required to be done from time to time.

The present consultation aims to focus on two aspects of delimitation:

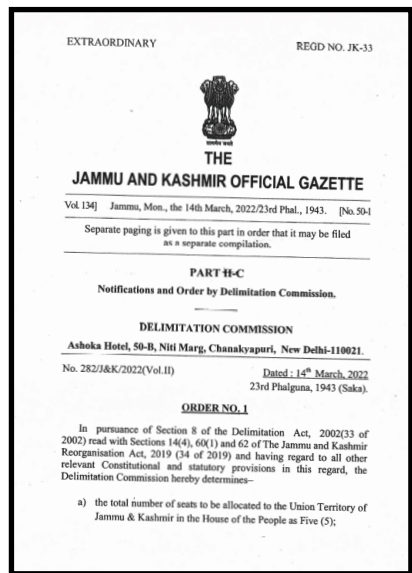
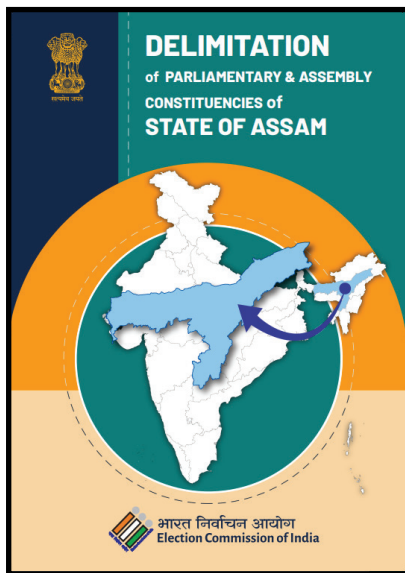
1. **The regional imbalance it's likely to create in future parliament if population is taken as the key factor in the allocation of several seats in Lok Sabha.**
2. **Gerrymandering of Muslims, SC/ST, and other minorities in Parliament and State Assemblies.**

Delimitation has recently emerged as one of the key issues of conflict between the incumbent regime and the opposition parties. The Chief Minister of Tamil Nadu, M.K. Stalin, in particular, is spearheading a unity of the Southern states to oppose the proposed model of Delimitation that is going to come into effect after a census to be conducted after 2026.



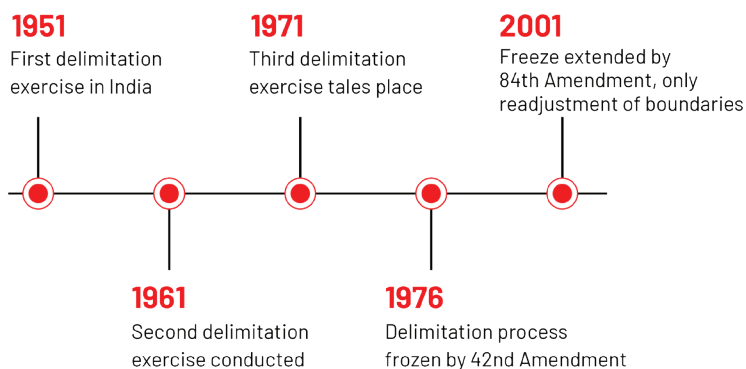
But a deep dive into the delimitation process, that has recently been implemented in states like Jammu and Kashmir and Assam, as well as the effects of the Delimitation process undertaken in 2009, reflects a more sinister project that is taking shape silently. Delimitation is aiding and abetting the Sangh's trident dream of Hindu Rashtra by,

1. **Reducing representations of the Southern state,**
2. **Debilitating the Dalit representation, and**
3. **Completely depleting the Muslim representation in Parliament and Assemblies.**



What exactly is Delimitation?

Delimitation, the process of redrawing parliamentary and assembly constituency boundaries, is intended to reflect demographic changes and ensure fair representation. It is fixing constituencies' boundaries and territorial realignments based on new population census figures. Articles 82 and 170 of the Constitution provide that the number of seats in the Lok Sabha and State Legislative assemblies, and its division into territorial constituencies, shall be readjusted after each Census. This 'delimitation process' is performed by the 'Delimitation Commission' that was set up under an act of Parliament. Such an exercise occurred after the 1951, 1961, and 1971 Census. However, after the 1971 census, this process was stalled to encourage population control programs of the government. With the 42nd Amendment Act, it was decided that till 2000 (extended by the 84th Amendment Act till 2026), the 1971 population would be considered the baseline to determine the number of constituencies. This number will be re-adjusted based on the first Census after 2026. The 2021 census was postponed due to the COVID-19 pandemic and delays from the Central Government raises the doubts about the intent vis a vis Delimitation. The delimitation process also determines whether or not a constituency will be reserved for either Scheduled Caste or Scheduled Tribe.



The effects of delimitation depleting the representation of Muslims, Dalits, and the Southern States are stark. While the first two have already shown their ugly impacts the third one is about to happen soon. Let us take a deeper look.

Gerrymandering- Splitting Muslim Communities:

One of the most common forms of discrimination through delimitation is gerrymandering. In this case, electoral boundaries are drawn in ways that divide Muslim-majority areas into smaller constituencies, diluting and dividing their voting strength. This can prevent Muslims from having enough influence in any single constituency, making it harder for Muslim representatives to win elections. From **SPECT Foundation**, we have done preliminary research on various seats to understand the effects of Delimitation on marginalized communities, particularly minorities. Here we are citing a few of the many seats, which has faced this issue:

- Assam for example, Dhubri and Barpeta used to be two Muslim-majority seats. Both the seats had a high Muslim population (both had more than 60% Muslim population) and always elected Muslim MPs. Post delimitation, **three Muslim majority assembly seats of Barpeta: Chenga, Baghbar, and Jania were transferred to Dhubri**, increasing its voter base drastically by 10 lakh. As a result, only Dhubri Lok Sabha now has a very high Muslim population, while **Barpeta was realigned to reduce the Muslim population from the seat drastically, bringing it down to 35%.**
- In West Bengal, the **Katwa Lok Sabha** seat had around 40% of the Muslim population, and from 1952 to 2009, it has always elected a Muslim MP, without exception. In 2009, this constituency was divided into two different Lok Sabha seats by gerrymandering and merging with other constituencies. The two new constituencies are **Bardhaman Purba and Bardhaman Durgapur, both have an estimated Muslim population of around 20%, and between the two**, Bardhaman Purba is reserved for SC. None of these new constituencies, after delimitation, has ever elected a Muslim MP.

Reservation of Muslim majority seats for SCs/ STs and its impact on Muslim representation

one of the major allegations against the Delimitation Commission is that it has been unfair to Muslims because it has reserved those seats that have significant Muslim populations and have relatively lesser numbers of SCs and STs. This again has been done to ensure that Muslims don't contest from these seats, thus effectively reducing Muslim numbers from the legislatures, both national and state level. The Sachar Committee also discussed this at length about this issue and showed how the Muslim majority seats have been reserved for SC precluding Muslim representation.

The SPECT Research meticulously observed several seats across states where Muslim majority seats have been arbitrarily reserved for the SC community. Here are some glaring examples, although the actual list is much bigger.

Name of Lok Sabha Constituency	Muslim Population %	SC/ ST Population %	Remarks
Nagina (UP)	47	21	SC reserved
Kutch (Gujarat)	22	11	SC Reserved
Rajmahal (Jharkhand)	34	29 (ST)	ST Reserved

Name of Assembly Seats	Muslim %	SC/ST %	Remarks
Manihar (Bihar)	39	13	ST reserved
Kurla (Maharashtra)	31	13	SC reserved
Nabagram (WB)	53	23	SC reserved
Hubli-Dharwad (Karnataka)	41	10	SC reserved



Delimitation is also discriminatory against SCs and STs

The reservation of SC/ST seats in the name of Delimitation is done to ostensibly benefit the Dalit-Adivasi population. But turns out the process is not only discriminatory against Muslims but also discriminates against the SC and the ST communities. **There are several seats in India, both Lok Sabha and state assemblies that have significant populations of these communities but are kept unreserved and open to contest by all communities.** This has affected SCs and STs by making them dependent upon other communities to win these seats. This has hindered the emergence of effective community leaders from SCs and STs, from areas where they are in strong numbers, who can independently win and raise the issues of these communities.

Name of Lok Sabha constituency	SC/ST population %	Remarks
Habibpur (West Bengal)	48.9	Unreserved
Aurangabad (Bihar)	29	Unreserved
Hasan (Karnataka)	20	Unreserved

Name of Vidhan Sabha	SC/ ST Population %	Remarks
Natabari (West Bengal)	42%	Unreserved
Badnera (Maharashtra)	27%	Unreserved
Katigora (Assam)	21%	Unreserved



Delimitation is discriminatory against South Indian States.

The size of electoral constituencies in India was frozen in 1976 with the [census data](#) of 1971 as its basis. Meanwhile, the nation's population has witnessed a manifold increase, coupled with substantial shifts in internal demographics. Currently, in Bihar, for instance, one member of Parliament (MP) represents approximately 3.1 million citizens, while in Kerala, the corresponding ratio stands at 1.75 million.

In 2001, when the time came to readjust the size of constituencies as per the Constitution, the Vajpayee government, due to a fragile coalition, decided to postpone the reallocation further till 2026. **If the delimitation is done based on the 2026 census, it will have significant implications for the states in the south.** Historically, the southern states have implemented effective family planning measures, leading to slower population growth compared to their northern counterparts. **Therefore, southern states may experience a reduction in the number of parliamentary seats allocated to them, while northern states could see an increase.**



Reduced Representation: Southern states like Tamil Nadu, Kerala, Andhra Pradesh, Karnataka, and Telangana may lose parliamentary seats due to their relatively stable or declining populations.

The following tables show if the number of seats is retained at the current figure of 543 and reapportioned among states based on the projected population of 2026, then the difference between three North Indian and four South Indian states will be following:

State	Number of Seats at Present	Number of Seats Projected	Net gain/loss
UP	80	91	11
Bihar	40	50	10
Rajasthan	25	31	6
Tamil Nadu	39	31	-8
Andhra and Telangana	42	34	-8
Kerala	20	12	-8

Furthermore, if the number of seats are increased to 848, based on the projected population of 2026, then the difference between some Northern and Southern states will be following.

State	Number of Seats at Present	Number of seats projected	Net gain
UP	80	143	63
Bihar	40	79	39
Rajasthan	25	50	25
Tamil Nadu	39	49	10
Andhra and Telangana	42	54	12
Kerala	20	20	0

So, here we can see, that the Southern states are basically being penalized for actualizing family planning and effectively arresting population control. A decrease in representation will diminish the political influence of southern states in the Lok Sabha, affecting their ability to advocate for favorable policies and secure adequate resource allocation from the central government. One can speculate the effects on Southern states, once we look at how the Delimitation process took shape in Jammu and Kashmir or Assam.

Case Studies of Delimitation: Jammu & Kashmir and Assam

In both J&K and Assam, the ruling BJP blatantly used Delimitation to sabotage the rights of minorities. SPECT Research did a deep analysis of both these states. As a matter of fact, in both these states Muslim votes play a decisive role in determining the electoral outcomes. While J&K has been the only state to always elect a Muslim Chief Minister; in Assam too, Muslim votes are decisive because of the significant presence of the Muslim population (35%). In Delimitation, population is considered the key factor in determining constituencies. However, in these two states, the population has been sidestepped as a secondary factor, and geographical conditions have been foregrounded as the main factor.

ASSAM:

1. In Assam before delimitation, there were 42 Assembly seats, where the population of Muslims was more than 40%, which directly influenced the electoral outcomes of the state. **Out of these, in 35 seats, the Muslim population was more than 50%.** By the 2009 delimitation itself, out of these seats, some assembly seats with a high Muslim population were reserved for SCs, thereby precluding the possibility of Muslim representation. These seats include Abhaypuri South (55% Muslim voters), Mangoldoi (49% Muslim voters), Raha (38.4% Muslim voters), and Ratbari (36.7% Muslim voters). Similarly, earlier Karimganj Lok Sabha seat with 56% Muslim voters was also reserved to be an SC seat. That seat has very recently been converted to general again. **Before the recent delimitation in Assam, there were 32 seats, in which the Muslim electorate played a decisive role. Gerrymandering has brought that figure down to 22 at present.**

2. We have already mentioned in this paper how gerrymandering was done in the Barpeta seat, to take three assembly seats out and add them to the Dhubri Lok Sabha seat. As a result, the **Muslim electorate of Barpeta has come down to 35%**, making it difficult to elect a Muslim representative.
3. Similarly, in Naoboicha Assembly seat, which earlier had a Muslim population of 41%, had always elected a Muslim representative. After the last delimitation, **the Muslim areas were cut from the seat and redistributed among three other neighboring constituencies.** In none of these seats now, Muslim votes play a strong or decisive role. As a result, Muslim representatives cannot win these seats either.
4. On the other hand, the population of Dhubri Lok Sabha has exponentially increased. The average population of the Lok Sabha seats in Assam is around 18 lakhs, **whereas in Dhubri the population is 27 lakh 70 thousand**, which is disproportionately high. It is a clear attempt to overpopulate Muslim voters in some constituencies to make their votes redundant at a larger scale.
5. Before the last delimitation in Assam, the number of seats reserved for SCs was 8 and that of STs was 16. After Delimitation, the reserved seats were increased to 9 for SCs and 19 for STs. These seats were increased by gerrymandering Muslim-populated areas and adding them to adjoining Hindu majority seats, or by simply reserving Muslim majority seats. For example, **Goalpara West seat, which has a 69% Muslim population has been reserved for ST after the last delimitation.** On the other hand, Nagaon, Baghbhar and Lakhimpur constituencies have been adjusted in a way that reduces Muslim voter influence by adding more Hindu-majority areas.
6. The recent delimitation in Assam has targeted the Bengali-speaking Muslim population by reducing seats in areas where their population is high. While the delimitation has increased seats in Karbi Anglong, Bodoland, and Upper Assam, **number of seats have been reduced in the Barak valley**, where Bengali speaking Muslim population is high.

7. If one takes a closer look, it will be clear that the reservation of seats is made in a crafty way to sabotage Muslim representation by creating a calculated rift between Muslims and Adivasis. For example, as we mentioned earlier Goalpara West with a high Muslim population has been converted to an ST reserved seat. The Dudhnoi constituency with 29% Muslim population was reserved earlier as an ST seat. As a result, now in the district of Goalpara, which has an Adivasi population of 22.96%, 2 out of 4 seats are reserved for STs. Both these seats have more Muslim voters than Adivasi voters. However, interestingly, out of 3 seats in the Udalguri district, only 1 is reserved for STs. However, the Adivasi population in Udalguri is 32%, which is much higher than Goalpara. This makes it clear that more than giving rights to Adivasis, delimitation is being systematically used to take away the rights of Muslim voters and to create a rift between these two marginalized communities.

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Why redrawn electoral boundaries in Assam have confirmed Muslim legislators' worst fears

Sep 15, 2023 · 06:30 am

"Almost all Muslim areas of Goalpara West have been attached to the Muslim-majority Jaleswar assembly seat, while Hindu-dominated blocks and villages of Goalpara district have been attached to the now Hindu-majority Goalpara West and Dudhnoi. They have changed the demography completely."

Abdur Rashid Mandal,
Congress legislator who represents the constituency



INDIA TODAY NE

Himanta Biswa Sarma should be considered as 'Mahanayak' if delimitation was done by him, says Pijush Hazarika

"After this delimitation, Himanta Biswa Sarma should be seen as a 'Mahanayak'. Now the number of seats with better performance of Muslim candidates has come down to 22. After this delimitation, 104 seats have been reserved for indigenous people, Indians and Hindus."

Pijush Hazarika - Minister of Assam Government
Statement given to the media on 29 August 2023



JAMMU AND KASHMIR

In J&K the delimitation has been used by BJP led Central Government to implement their age-old agenda of strengthening Jammu so that it overwhelms the Kashmir valley and their political impact.

1. After the recent delimitation, the Jammu region's seat count increased from 37 to 43, which implies an escalation of their political stronghold within the state assembly. In Jammu and Kashmir, Demography has not been used as the benchmark for delimitation. As a result, **44% population of the Jammu region is going to vote on 48% of seats in the state, while 56% population of the Kashmir valley will vote on the remaining 52% of seats.**
2. In the valley, however, after delimitation, seats increased by just one, increasing to 47 from 46. **Six out of the nine newly reserved ST seats are in Valley, and 3 are in Jammu.**
3. In Lok Sabha too, the Anantnag constituency after gerrymandering has been turned into Anantnag-Rajouri. The tribal Assembly seats from the Rajouri area have been added to this seat, changing its erstwhile demographic profile. **From a Muslim majority seat, this now has an altered demographic profile.** The point to be noted here is that the areas included in that constituency are geographically distant and culturally and ethnically very different.



Jammu & Kashmir: The hidden agenda behind the delimitation exercise

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The Delimitation Commission's proposals, which were published on March 14, appear to confirm the fears of Kashmir's Muslim-majority population that the Centre's underlying objective was to alter the boundaries of Assembly constituencies to make it easier for the BJP to win elections.



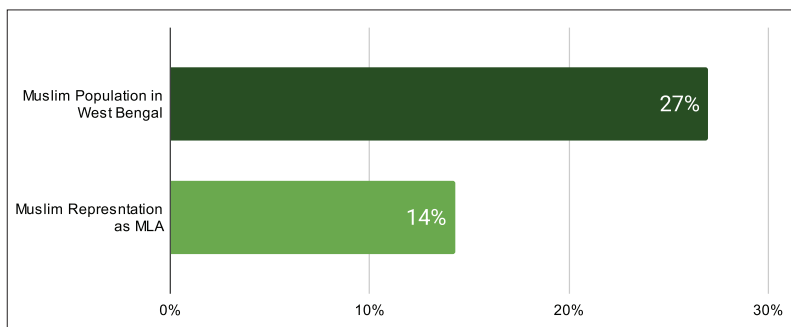
Delimitation: Injustice to the Muslim Community in West Bengal!

Delimitation, unlike popular conception, is not limited to the demarcation of assembly and Lok Sabha constituencies. It is not just a routine political process either. In fact, the political future of a society may hinge upon processes like delimitation.

For the politics of marginalised communities like Muslims and Dalits in particular, processes like Delimitation, are of utmost importance. In the current scenario after all the political participation of Muslims is declining progressively whereas, the political share of the Dalit community is also limited only to the seats reserved for Dalits. Delimitation further constrains the participation of these two communities in the electoral process. We shall demonstrate that with a concrete case of the state of West Bengal.

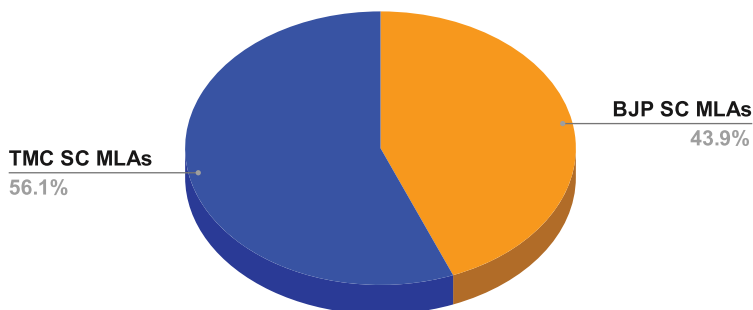
In West Bengal's politics, two crucial aspects need to be foregrounded:

Firstly, 27% Muslim population of the state plays a significant role in its politics, yet despite this, the Muslim community has not received political representation proportionate to its population.



Similarly, the Dalit community is also very significant in West Bengal's politics. 66 seats in the current state assembly are reserved for the Dalit community, of which TMC and BJP have equal number of seats.

Like in the rest of the country, in West Bengal, too, many of the seats reserved for Dalits in the assembly are predominantly Muslim majority or the Muslim community directly influences the outcome of elections in these.



SC Community MLAs in West Bengal - Party Wise

To understand this broadly, out of the 17 SC reserved seats, there are Muslim populations of 30% or more in 6 seats (over 42%). The Muslim community is in the majority in these seats. However, these seats have been reserved through delimitation and now Muslims can never even contest elections in these seats.

It should be noted here that Muslims and Christians are excluded from the Dalit category. There is no provision for these communities to benefit from Dalit reservations.

Conversely, seats where there is a higher Dalit population or could be considered Dalit-centric or Dalit majority, have been left unreserved. There are approximately 24 such seats where the Dalit population exceeds 30%, yet they have been included in the general category. The most notable point is that out of these seats, 5 seats remain unreserved despite being Dalit majority (over 42%).

Muslim Equation in Dalit Reserved Seats in Delimitation

In the West Bengal assembly, 66 seats are reserved for the Dalit community. If we look at these in detail through statistics, it will become clear that despite having a lower Dalit population and a higher Muslim population on many of these seats, they have been reserved.

Among these, 3 seats are entirely Muslim-majority where the Muslim population exceeds 50%, yet due to delimitation, Muslims cannot contest elections from there. These include Nabagram, Minakhan, and Khargram seats.

Assembly Name	Loksabha	Muslims %	Dalit %	Reserved
Nabagram	Jangipur	53.20%	23.60%	SC
Minakhan	Basirhat	52.20%	29.09%	SC
Khargram	Jangipur	50.30%	22.06%	SC

Similarly, there are 3 seats where Muslim voters are over 44% yet these have been reserved. These include Magrahat Purba, Hemtabad, and Swarupnagar.

Assembly Name	Loksabha	Muslims %	Dalit %	Reserved
Magrahat Purba	Jaynagar (SC)	44.90%	34.61%	SC
Hemtabad	Raiganj	44.30%	35.21%	SC
Swarupnagar	Bangaon (SC)	44.10%	29.64%	SC

Further, there are 5 seats where the Muslim population is over 36%, yet they have been reserved in delimitation. These are Jaynagar, Sitai, Burwan, Sankrail, and Basanti.

Assembly Name	Loksabha	Muslims %	Dalit %	Reserved
Jaynagar	Jaynagar (SC)	38.70%	35.24%	SC
Sitai	Cooch Behar (SC)	38.10%	50.56%	SC
Burwan	Baharampur	37.40%	23.12%	SC
Sankrail	Howrah	37.20%	23.50%	SC
Basanti	Jaynagar (SC)	36.70%	32.57%	SC

Additionally, there are 6 seats where the Muslim population exceeds 30%, but these are SC reserved. Here, both the Muslim and Dalit populations exceed 30%.

Assembly Name	Loksabha	Muslims %	Dalit %	Reserved
Kushmandi	Balurghat	33.70%	44.50%	SC
Canning Paschim	Jaynagar (SC)	32.60%	44.66%	SC
Baruipur Purba	Jadavpur	32.10%	45.66%	SC
Ausgram	Bolpur (SC)	31.10%	36.51%	SC
Kultali	Jaynagar (SC)	30.70%	39.11%	SC
Bishnupur	Diamond Harbour	30.70%	44.05%	SC

If you delve a bit deeper, among the Dalit reserved seats, there are 18 seats where the Muslim population ranges from 20 to 30%, but it needs to be pointed out that, there's also a significant Dalit population in these seats.

Assembly Name	Loksabha	Dalit %	Muslim%	Category
Phansidewa (ST)	Darjeeling	38.01%	17.10%	ST (26.73%)
Cooch Behar Dakshin	Cooch Behar (SC)	36.19%	29.10%	General
Sandeshkhali (ST)	Basirhat	36.04%	24.60%	ST (25.1%)
Chhatna	Bankura	35.18%	3.40%	General
Barjora	Bishnupur (SC)	34.27%	4.60%	General
Santipur	Ranaghat (SC)	33.54%	14.00%	General
Kakdwip	Mathurapur (SC)	33.30%	15.40%	General
Tehatta	Krishnanagar	32.97%	28.50%	General
Onda	Bishnupur (SC)	32.70%	8.90%	General
Mayureswar	Bolpur (SC)	32.56%	26.50%	General
Bhatar	Bardhaman Durgapur	32.55%	25.10%	General
Labhpur	Bolpur (SC)	32.51%	22.90%	General
Dabgram-Phulbari	Jalpaiguri (SC)	32.35%	7.60%	General
Chakdaha	Ranaghat (SC)	31.85%	7.90%	General
Suri	Birbhum	31.25%	23.90%	General
Sonarpur Dakshin	Jadavpur	30.89%	8.40%	General

Why are Dalit Majority Seats Left Unreserved?

Now, let's look at the other side of the coin. Often, people have the misconception that if someone opposes the reservation of Muslim majority seats for SCs, they are advocating for the abolition of reservation, but the reality is far from the truth.

The provision of reservation, which is meant to bring the marginalized society into the mainstream and empower them politically, is in fact being used by the Delimitation process to undermine Dalit majority seats by leaving them unreserved.

Why else have 5 Dalit majority seats in West Bengal been left in the general category instead of being reserved? Among these, one seat, Habibpur, despite having only 27% tribal population, has been reserved for ST while having nearly 50% Dalit population.

Assembly Name	Loksabha	Dalit %	Muslim%	Category
Habibpur (ST)	Maldaha Uttar	48.97%	6%	ST (27.18%)
Tufanganj	Alipurduars (ST)	47.87%	18.70%	General
Alipurduar	Alipurduars (ST)	42.84%	5.30%	General
Natabari	Cooch Behar (SC)	41.97%	24.80%	General
Dinhata	Cooch Behar (SC)	41.42%	31.60%	General

Similarly, there are 16 seats where the Dalit population ranges from 30 to 40%, yet 14 are kept general, and 2 are reserved for ST.

Assembly Name	Loksabha	Dalit %	Muslim%	Category
Phansidewa (ST)	Darjeeling	38.01%	17.10%	ST (26.73%)
Cooch Behar Dakshin	Cooch Behar (SC)	36.19%	29.10%	General
Sandeshkhali (ST)	Basirhat	36.04%	24.60%	ST (25.1%)
Chhatna	Bankura	35.18%	3.40%	General
Barjora	Bishnupur (SC)	34.27%	4.60%	General

Assembly Name	Loksabha	Dalit %	Muslim%	Category
Santipur	Ranaghat (SC)	33.54%	14.00%	General
Kakdwip	Mathurapur (SC)	33.30%	15.40%	General
Tehatta	Krishnanagar	32.97%	28.50%	General
Onda	Bishnupur (SC)	32.70%	8.90%	General
Mayureswar	Bolpur (SC)	32.56%	26.50%	General
Bhatar	Bardhaman Durgapur	32.55%	25.10%	General
Labhpur	Bolpur (SC)	32.51%	22.90%	General
Dabgram-Phulbari	Jalpaiguri (SC)	32.35%	7.60%	General
Chakdaha	Ranaghat (SC)	31.85%	7.90%	General
Suri	Birbhum	31.25%	23.90%	General
Sonarpur Dakshin	Jadavpur	30.89%	8.40%	General

Even further, there are 10 seats where the Dalit population is between 20-30%, yet they are categorized as general.

Assembly Name	Loksabha	Dalit %	Muslim%	Category
Sonarpur Uttar	Jadavpur	29.89%	12.80%	General
Taldangra	Bankura	29.14%	7.20%	General
Krishnanagar Uttar	Krishnanagar	29.13%	6.30%	General
Bankura	Bankura	28.69%	7.90%	General
Bishnupur	Bishnupur (SC)	28.49%	12.00%	General
Raidighi	Mathurapur (SC)	28.12%	23.60%	General
Barbani	Asansol	26.44%	7.50%	General
Sagar	Mathurapur (SC)	26.32%	10.80%	General
Haripal	Arambag (SC)	26.04%	21.30%	General
Chunchura	Hooghly	21.62%	7.00%	General

There's a game of three seats in delimitation where despite the Dalit population being higher than the tribals, they have been reserved for ST.

Assembly Name	Loksabha	Dalit %	Muslim%	Category
Habibpur (ST)	Maldaha Uttar	48.97%	6%	ST (27.18%)
Phansidewa (ST)	Darjeeling	38.01%	17.10%	ST (26.73%)
Sandeshkhali (ST)	Basirhat	36.04%	24.60%	ST (25.1%)

Comparative Study

Now let's do a bit of comparative analysis. What kind of criteria is there that seats like Nabagram (53.2% Muslim), Minakhan (52.2%), Khandaghosh (50.3%), Magrahat Purba (44.9%), Hemtabad (44.3%), and Swarupnagar (44.1%), which are Muslim-centric, are reserved for Dalits in the West Bengal Assembly?

However, seats like Habibpur (48.97% Dalit), Tufanganj (47.87%), Alipurduar (42.84%), Naxalbari (41.97%), and Dinhata (41.42%), which are Dalit-centric, are left in the general category.

Muslim Majority Reserved Seats		Muslim Majority Unreserved Seats	
Assembly Name	Loksabha	Assembly Name	Loksabha
Nabagram	Jangipur	Raghunathganj	Jangipur
Khargram	Jangipur	Lalgola	Jangipur
Minakhan	Basirhat	Haroa	Basirhat
Magrahat Purba	Jaynagar (SC)	Canning Purba	Jaynagar (SC)
Jaynagar	Jaynagar (SC)		

It is through the Delimitation process that the ruling class is pitting one marginalised community against the other, thereby depriving both of their legitimate share in electoral politics. The delimitation is restricting the political participation of Muslims, by reducing their chance of getting elected. Also, in Muslim-majority areas, when Muslims are restricted from contesting elections, the general voters often lose interest in casting votes that reduces the overall participation of citizens in the election process.

The Dalit candidates too instead of fighting elections from constituencies where they have a strong presence are forced to fight elections where they have to depend to other communities for electoral success. This thwarts the development of grassroots leaders from Dalit communities who can represent these marginalised communities at a bigger level. The Process of Delimitation, therefore, instead of empowering the marginalised communities is in fact debilitating them causing immense political injustice to both.

The Road Ahead:

On 7th October 2024, a Supreme Court bench of Justice Surya Kant and Justice Ujjwal Bhunia passed an order upholding the court's power to review Delimitation Commission orders if they are deemed arbitrary or in violation of constitutional principles. Although judicial review in delimitation cases is restricted, the Court can intervene when an order severely conflicts with constitutional values. This has left a window of hope open for citizens to challenge Delimitation principles that are arbitrary and thwart the representation of marginalized communities or certain states. However, more than judicial intervention, what we require right now is definitive political action by the political parties, that must oppose the entire process of Delimitation in its current form. Instead of cherry-picking some aspects of this process, like the under-representation of Southern states alone, the political opposition should also speak out on the lesser-discussed aspects of how Delimitation is hindering the representation of Muslims and SC/ST communities.

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परिसीमन आयोग के आदेश न्यायिक पुनर्विचार से मुक्त नहीं : सुप्रीम कोर्ट

7 Aug 2024 12:31 PM

कोर्ट ने कहा, "इसलिए जबकि न्यायालयों को हमेशा परिसीमन मामलों में न्यायिक पुनर्विचार के प्रयोग पर दायरे, दायरे और सीमाओं के बारे में स्थापित सिद्धांतों द्वारा निर्देशित होना चाहिए, ऐसा कुछ भी नहीं है, जो उन्हें संविधान की कसौटी पर परिसीमन आयोग द्वारा पारित आदेशों की वैधता की जांच करने से रोकता है। अगर आदेश स्पष्ट रूप से मनमाना और संवैधानिक मूल्यों के साथ असंगत पाया जाता है तो न्यायालय स्थिति को सुधारने के लिए उचित उपाय कर सकता है।"



Recommendations:

1. Population cannot be the only determining parameter for delimitation. There was a reason, why the population scale of 1971 was frozen in subsequent delimitation. The explosion of population in India has been discouraged by the government and the states of South India, which successfully implemented population control measures cannot be penalized now with reduced representation in Parliament and Assemblies.
2. The reservation of constituencies as Scheduled Caste should not be arbitrary and there must be a standardized measure of prioritizing constituencies with high SC populations as reserved constituencies. This will ensure a stronger representation of the Dalit community.
3. Constituencies with a high Muslim population (40% or more) should be avoided from being reserved for other communities. Both Sachar Committee and Ranganath Mishra Committee had made these recommendations and that should be upheld.
4. Constituencies with a high SC/ST (25% or more) population should be considered for reservation and should not be left unreserved.
5. Gerrymandering of constituencies with populations of similar cultural, racial, ethnic, or religious identities to cut them into multiple separate constituencies should be avoided.

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