

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:1368
ANSWERED ON:16.07.2004
DELIMITATION COMMISSION
Gadakh Shri Tukaram Gangadhar

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the present status of Delimitation Commission;
- (b) whether the process of delimitation of Lok Sabha and Assembly constituencies is likely to be completed as per schedule;
- (c) if so, the details thereof;
- (d) whether the Government has recommended some suggestions and views of people's representatives have been received from various quarters in this regard;
- (e) if so, the suggestions made in this regard;
- (f) whether Government proposes to take care of those suggestions while delimiting the constituencies; and
- (g) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY)

(a), (b) & (c): The Delimitation Commission was constituted in July, 2002. As per the information made available by the Delimitation Commission, the Commission became functional in November/December, 2002. The Commission - in terms of the Constitutional provisions - was to delimit the constituencies on the basis of 1991 census figures. By June 2003 the Commission had completed almost 60% of its work. The totality of the Commission's work (all the parliamentary constituencies and the Assembly constituencies in all the states in the country) would have been completed by November/December, 2003. It could not be done because the Parliament enacted the Constitution (Eighty-seventh Amendment) Act, 2003, which provides that the delimitation work shall be done by the Commission on the basis of the 2001 census and not on 1991 census figures. As a consequence the work done by the Commission on the basis of 1991 census became non-est by the operation of law. The Commission, however, started preliminary work on the basis of the provisional 2001 census figures, which were available. But the preliminary work could not be taken to the logical extent because, even the provisional 2001 census figures regarding the Scheduled Castes and the Scheduled Tribes were not available.

The 2001 Census figures were published on December 31, 2003. Thereafter, the Commission took-up the work of collecting data and tabulating the same. While the process was going on the 13th Lok Sabha was dissolved and fresh elections were declared. The Commission has five Lok Sabha Members from each State as its associate members. Where the number of M.Ps in a State is less than five, all are Commission's Members. With the dissolution of the Lok Sabha, the associate members ceased to be members by operation of law. Even otherwise during the elections, the fieldwork by the Commission was almost stopped. The fourteenth Lok Sabha has been constituted. The Commission has requested the Hon'ble Speaker to nominate associate members to the Delimitation Commission from each State. The said nominations are awaited. The Commission is likely to be fully occupied with work by the end of July, 2004.

The delimitation of the Lok Sabha and assembly constituencies in all the States is a time consuming work. Under the scheme of the Act associate members are to be associated with the delimitation work from the very beginning. As a consequence there have to be more than one meeting with the associate members from each State. Thereafter, the final delimitation draft is published in newspapers and suggestions and views are invited from the public. Finally, the public meetings are held by the Commission in all the States and the draft finalized. The Commission will make an endeavour to complete the work within a period of one and a half year.

(d) & (e): The then Law Minister has suggested to the Delimitation Commission that there should be broad-based consultation with the Associate members, on the basis of the consensus arrived at in the all-party meeting held on the working of the Delimitation Commission on 13.3.2003. The Commission has accordingly revised its guidelines. The Delimitation Commission has informed that various suggestions from different quarters i.e. general public/organizations/associations are being received in the Commission regarding delimitation of constituencies.

(f) and (g): The work of the Delimitation is to be carried out by the Delimitation Commission, a statutory body, and not by the Government and, therefore, it is for the Delimitation Commission to accord appropriate consideration to the suggestion made to it.