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Delimitation Controversy — 131st Constitutional Amendment Bill Defeated in Lok Sabha

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CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

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Delimitation Controversy — 131st Constitutional Amendment Bill Defeated in Lok Sabha

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WHY IN NEWS

The **131st Constitutional Amendment Bill** — which sought to link constituency delimitation with the women’s reservation mandate — was defeated in the Lok Sabha on April 18–19, 2026. The ruling NDA secured approximately 298 votes, falling well short of the **363 votes** (two-thirds of total membership) required to pass a constitutional amendment. The bill’s defeat defers — but does not resolve — India’s simmering delimitation controversy.

WHAT IS DELIMITATION?

Delimitation refers to the process of redrawing the boundaries of Parliamentary and Legislative Assembly constituencies, typically based on updated population data from the Census.

Constitutional Basis

PROVISION	SUBSTANCE
Article 82	Parliament shall, by law, provide for delimitation after each Census
Article 81(2)(a)	Inter-state seat distribution frozen since 1971 Census
Article 81(2)(b)	Intra-state constituency boundaries frozen since 2001 Census
Article 170	State Assembly seat distribution — similar freeze

The current freeze was imposed through the **42nd Constitutional Amendment (1976)** and subsequently extended. The freeze on inter-state distribution expires once **2026 Census** figures are officially published (expected **late 2027**).

THE 131ST CONSTITUTIONAL AMENDMENT BILL

Provisions

The bill proposed to:

- ❶ Update Parliamentary seat distribution based on post-Census population data
- ❷ Trigger the **women's reservation** mandate (33% seats for women in Lok Sabha and State Assemblies) — as required by the **106th Constitutional Amendment Act, 2023** (the Nari Shakti Vandan Adhiniyam), which explicitly tied women's reservation to a post-delimitation exercise
- ❸ Increase total Lok Sabha seats (proposed expansion to account for population growth since 1971)

Why it Failed

A constitutional amendment under **Article 368** requires:

- Simple majority of members **present and voting**, AND
- **Two-thirds majority** of total membership of each House

The NDA (~298 votes) fell ~65 votes short of the 363-vote threshold. The Opposition (~230 votes) voted against.

WHY DELIMITATION IS CONTENTIOUS

The North-South Divide

REGION	POPULATION GROWTH SINCE 1971	EXPECTED IMPACT
North India (UP, Bihar, Rajasthan, MP)	High	More seats
South India (Kerala, TN, AP, Karnataka, Telangana)	Slower	Relatively fewer seats

Southern states argue that they were **rewarded for better family planning** by slowing population growth — and that delimitation based on current population would punish their development success. Northern states argue that **equal per-vote value** (one person, one vote, one value) demands population-proportional representation.

Women's Reservation Linkage

The **106th Constitutional Amendment (2023)** mandated women's reservation only **after delimitation** — effectively creating a dependency chain: women's reservation cannot be implemented without delimitation, and delimitation cannot happen without Census data (delayed since COVID). Critics called this a deliberate deferral.

DELIMITATION COMMISSION

India's **Delimitation Commission** is a statutory body set up under the **Delimitation Act**. Past Commissions:

COMMISSION	YEAR	BASIS
1st	1952	1951 Census
2nd	1963	1961 Census
3rd	1973	1971 Census
4th	2002	2001 Census
(Expected 5th)	Post-2027	2026 Census

The Commission's orders have the **force of law** and cannot be questioned in any court (Article 329).

WOMEN'S RESERVATION — CURRENT STATUS

The **Nari Shakti Vandan Adhiniyam (106th Amendment, 2023)** mandates:

- **33% seats** reserved for women in Lok Sabha and State Assemblies
- Comes into force only **after** delimitation following publication of Census figures
- **15 years** initial duration, extendable by Parliament

Since delimitation is now delayed further, women's reservation in Parliament remains on hold — a significant political consequence of the bill's defeat.

UPSC RELEVANCE

Constitutional amendments (Article 368), delimitation process (Articles 81, 82, 170), women's reservation (106th Amendment), federal balance between states, Election Commission of India vs. Delimitation Commission.

Key Questions it Raises:

- ❶ Can India achieve the principle of “one person, one vote, one value” without penalising states that reduced fertility rates?
- ❷ What is the constitutional status of the Delimitation Commission's orders?
- ❸ How does the two-thirds amendment threshold shape India's constitutional politics?
- ❹ Is linking women's reservation to delimitation constitutionally sound?

FACTS CORNER

Bill defeated: 131st Constitutional Amendment Bill — failed to get 2/3 majority in Lok Sabha

NDA votes: ~298 vs. required: 363 (two-thirds of 543-seat Lok Sabha)

Inter-state seat freeze: since 1971 Census (Article 81(2)(a))

Intra-state boundary freeze: since 2001 Census (Article 81(2)(b))

Delimitation Commission: statutory body; orders have force of law; unchallengeable in court (Article 329)

106th Amendment (2023): Women's reservation — 33% seats; linked to post-delimitation Census

Expected gainers: UP, Bihar, Rajasthan, Gujarat, Maharashtra

Expected relative losers: Kerala, Tamil Nadu, Andhra Pradesh, Karnataka, Telangana

2026 Census: ongoing; figures expected late 2027

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[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)[Read Full Article on Ujiyari →](#)<https://ujiyari.com/daily/2026/04/19/delimitation-bill-2026/>

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