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**EDITORIAL ANALYSIS**

# A Law That Waits: Women's Reservation Tied to Delimitation

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CURATED &amp; WRITTEN BY

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# A Law That Waits: Women's Reservation Tied to Delimitation

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## THE LIFT LINE

India has a women's reservation law that everyone celebrates and no woman can yet use. The Nari Shakti Vandan Adhiniyam (<https://ujyari.com/terms/nari-shakti-vandan-adhiniyam/>) is on the statute book, but its 33 percent is switched off, waiting on a census and a delimitation that have become tangled with the deepest fault line in Indian federalism.

## WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

This is a high-value GS2 topic braiding together **constitutional amendment, women's political representation, delimitation** (<https://ujyari.com/vocab/delimitation/>) and **federalism** in one live controversy. The gap between enactment and implementation, and the north-south tension over delimitation, is precisely the kind of governance-and-polity dilemma UPSC likes to test.

**GS Paper 2:** Indian Constitution and its features, representation of women, functions and responsibilities of the Union and States, and issues and challenges of the federal structure.

## BACKGROUND AND CONTEXT

The **Constitution (106th Amendment) Act, 2023**, popularly the **Nari Shakti Vandan Adhiniyam**, reserves **33 percent of seats** in the Lok Sabha and in State legislative assemblies for women. It was passed with rare cross-party consensus in September 2023.

The catch is in its own text. The reservation takes effect only **after a delimitation exercise conducted on the basis of the first census taken after the Act's commencement**. On 16 April 2026 the government issued a gazette notification bringing the Act into force, but the 33 percent remains inoperative pending that census and the subsequent delimitation.

Delimitation itself is frozen. The 84th Amendment (2001) froze seat allocation on 1971 census figures until “the first census after 2026” to reassure states that had controlled their populations. Redrawing seats now revives an old fear: states that succeeded at population control, largely in the south, could lose relative weight in Parliament to more populous northern states. In 2026 the government’s **Constitution (131st Amendment) Bill**, meant to enable fresh delimitation and operationalise the reservation, secured 298 votes to 230, below the special-majority threshold (<https://ujjyari.com/vocab/threshold/>), and **failed**. That failure did not repeal the women’s reservation law, but it left it still waiting.

## THE CORE ARGUMENT / ISSUE

### A right deferred is a right diluted

A reservation that exists on paper but cannot be exercised in the next general election is, in practical terms, a promise postponed. Every cycle that passes without it is a cohort of women’s political careers not launched, and the gap between the letter and the life of the law widens.

### The federalism knot is real, not an excuse

The delay is not mere foot-dragging. It sits on a genuine constitutional dilemma: the principle of “**one person, one vote, one value**” pulls toward reallocating seats by current population, while fairness to states that curbed their populations pulls toward protecting their share. Southern states argue that pure population-based delimitation penalises good governance and erodes their voice, a legitimate federal concern, not obstruction.

ISSUE	ARGUMENT FOR POPULATION-BASED DELIMITATION	ARGUMENT FOR PROTECTING CURRENT SHARES
Principle	One person, one vote, one value	Fairness to states that controlled population
Effect on south	Reduced relative representation	Preserved relative representation
Democratic value	Equal weight per citizen	Cooperative federalism ( <a href="https://ujjyari.com/terms/cooperative-federalism/">https://ujjyari.com/terms/cooperative-federalism/</a> ), no penalty for policy success
Link to women’s quota	Enables the trigger for reservation	Delay keeps reservation switched off

### Untangling the two questions

The core problem is that a broadly-supported reform (women’s reservation) has been chained to a genuinely contested one (delimitation). Delivering the first should not have to wait on resolving the second. The design choice to tie them together is what keeps a consensus law hostage to a dispute.

## HOW TO THINK ABOUT THIS (ANALYTICAL FRAME)

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Separate the “**what**” from the “**when**.” The country agrees on the what, one-third of seats for women; it disagrees on the when, because the when was welded to delimitation. Good constitutional design decouples a settled reform from an unsettled one. Ask of any stalled law: is it stuck on principle, or on a procedural linkage that could be redesigned? Here it is the latter, which means the wait is, in principle, solvable without forcing a winner in the federalism (<https://ujjiyari.com/terms/federalism/>) fight.

## THE DIAGRAM IN WORDS

Nari Shakti Vandan Adhiniyam (33% for women) -> trigger clause: needs census + delimitation -> delimitation frozen since 2001 (protects population-control states) -> unfreezing it raises north-vs-south representation fear -> 131st Amendment Bill (2026) fails special majority -> reservation stays switched off. Way out: build federal consensus on delimitation, or decouple the women's quota from it.

## WAY FORWARD

- 1 **Build a federal bargain on delimitation.** Consider capping total seat changes, or increasing total seats so no state loses in absolute terms, to address southern-state concerns while honouring equal representation.
- 2 **Consider decoupling** (<https://ujjiyari.com/vocab/decoupling/>). Explore constitutional and legislative routes to bring women’s reservation into force on the existing seat base, so it need not wait on the delimitation dispute.
- 3 **Conduct the census promptly.** The overdue census is the factual foundation for any credible, transparent delimitation.
- 4 **Use the interim to build the pipeline.** Parties can voluntarily field more women candidates now, so representation grows even before the quota switches on.

## PYQ LINKAGE AND PRACTICE

UPSC has asked on women’s representation in legislatures and the Women’s Reservation Bill, and on delimitation and the federal implications of seat reallocation (GS2, various years, including a 2019 question on how far the Women’s Reservation Bill would help). This editorial updates that debate to the 2026 impasse (<https://ujjiyari.com/vocab/impasse/>).

**Practice question:** “The Nari Shakti Vandan Adhiniyam is enacted but inoperative because a settled reform has been tied to a contested one.” Examine the constitutional linkage between women’s reservation and delimitation, and suggest a way to deliver women’s representation without deepening federal tensions. (250

words, 15 marks)

Sources: *Business Standard* <sup>Ujyari Current Affairs · [ujyari.com](https://ujyari.com) · Free Daily Current Affairs for UPSC & State PCS</sup> (<https://www.business-standard.com/opinion>)

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