TO BE INTRODUCED IN LOK SABHA

Bill No. 159 of 2026

THE DELIMITATION (SECOND) BILL, 2026

A

BILL

to give effect to the reservation of seats for women in the House of the People and Legislative Assemblies of the States and Union territories and to provide for the readjustment of the allocation of seats in the House of the People to the States and Union territories, the total number of seats in the Legislative Assembly of each State and Union territory and the division of each State and each Union territory having a Legislative Assembly into territorial constituencies for elections to the House of the People and Legislative Assemblies of the States and Union territories and for matters connected therewith.

BE it enacted by Parliament in the Seventy-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Delimitation (Second) Act, 2026.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "article" means an article of the Constitution;

(*b*) "associate member" means a member nominated under section 5;

(*c*) "Commission" means the Delimitation Commission constituted under section 3;

(*d*) "Election Commission" means the Election Commission referred to in article 324;

(*e*) "latest census figures" means the latest census figures published as on the date of the commencement of this Act;

(*f*) "member" means a member of the Commission and includes the Chairperson;

(*g*) "notification" means notification published in the Official Gazette;

(*h*) "State" includes a Union territory having a Legislative Assembly.

Constitution of Delimitation Commission.

3. (*1*) As soon as may be after the commencement of this Act, the Central Government shall, by notification, constitute a Commission to be called the Delimitation Commission.

(*2*) The Commission shall comprise of the following members, namely:—

(*a*) one member, who shall be a person who is or has been a Judge of the Supreme Court, to be appointed by the Central Government, as the Chairperson of the Commission;

(*b*) the Chief Election Commissioner or an Election Commissioner nominated by the Chief Election Commissioner, *ex officio*:

Provided that after the nomination of an Election Commissioner as a member under this clause, no further nomination under this clause shall be made except to fill the casual vacancy of such member under section 6; and

(*c*) the State Election Commissioner of the State concerned, *ex officio*.

Explanation.—For the purposes of clause (*c*), the State Election Commissioner of the State concerned,—

(*i*) in respect of the duties of the Commission relating to a State (other than the States of Meghalaya and Nagaland), means the State Election Commissioner appointed by the Governor of that State under clause (1) of article 243K; and

(*ii*) in respect of the duties of the Commission relating to the States of Meghalaya and Nagaland, means a person nominated by the Governor of that State for such purposes.

(*3*) The Central Government may, by notification, specify the term of the Commission:

Provided that the Central Government may, on the request of the Commission, extend the term of the Commission by such further period as it may consider necessary.

(*4*) The Election Commission shall act as Delimitation Commission for the purpose of delimiting constituencies in the Legislative Assembly of the Union territory of Jammu and Kashmir falling under the occupation of Pakistan, when the area of the Union territory of Jammu and Kashmir under the occupation of Pakistan ceases to be so occupied.

Duties of Commission.

4. It shall be the duty of the Commission to readjust,—

(*a*) the allocation of seats in the House of the People to the States and Union territories and the total number of seats in the Legislative Assembly of each State, in accordance with the provisions of this Act; and

(*b*) the division of each State and Union territory into territorial constituencies, on the basis of the latest census figures,

for the purpose of elections to the House of the People and to the Legislative Assemblies:

Provided that where on such readjustment only one seat is allocated in the House of the People to a State or Union territory, the whole of that State or Union territory shall form one territorial constituency for the purpose of elections to the House of the People from that State or Union territory.

Associate members.

5. (*1*) The Commission shall associate with itself for the purpose of assisting it in its duties in respect of each State, ten persons, five of whom shall be members of the House of the People representing that State and five shall be members of the Legislative Assembly of that State:

Provided that where the number of members of the House of the People representing any State is five or less, then, all such members shall be the associate members for that State and in the latter case the total number of associate members shall be less than ten by such number as by which the total number of members of the House of the People representing that State is less than five.

(*2*) The persons to be so associated from each State shall be nominated, in the case of the members of the House of the People, by the Speaker of that House, and in the case of members of a Legislative Assembly, by the Speaker of that Assembly, having due regard to the composition of the House or, as the case may be, of the Assembly.

(*3*) The first nominations to be made under sub-section (*2*) shall be—

(*a*) made by the Speakers of the Legislative Assemblies within one month, and by the Speaker of the House of the People within two months, from the date of notification issued under sub-section (*1*) of section 3; and

(*b*) communicated to the Chief Election Commissioner, and where the nominations are made by the Speaker of a Legislative Assembly, also to the Speaker of the House of the People.

(*4*) None of the associate members shall have a right to vote or to sign any decision of the Commission.

(*5*) The Commission shall have power to call upon—

(*a*) the Registrar-General and Census Commissioner, India or his nominee; or

(*b*) the Surveyor General of India or his nominee; or

(*c*) any other officer of the Central Government or State Government; or

(*d*) any expert in geographical information system; or

(*e*) any other person,

whose expertise and knowledge are considered necessary by the Commission to provide assistance to it in addition to the assistance provided by the persons referred to in sub-section (*1*) and the officers and persons so called upon shall be duty bound to assist the Commission.

(*6*) One of the Secretaries to the Election Commission, to be nominated by the Election Commission, shall be the *ex officio* Secretary of the Commission and shall discharge his functions with the assistance of the employees of the Election Commission under the supervision of the Chairperson of the Commission.

Casual vacancies.

6. If the office of the Chairperson or of a member or of an associate member falls vacant owing to his death or resignation, it shall be filled as soon as may be practicable by the Central Government or the Speaker concerned under and in accordance with the provisions of section 3 or, as the case may be, of section 5.

Procedure and powers of Commission.

7. (*1*) The Commission shall determine its own procedure and shall, in the performance of its functions, have all the powers of a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:— 5 of 1908.

(*a*) summoning and enforcing the attendance of witnesses;

(*b*) requiring the production of any document; and

(*c*) requisitioning any public record from any court or office.

(*2*) The Commission shall have power to require any person to furnish any information on such points or matters as in the opinion of the Commission may be useful for, or relevant to, any matter under the consideration of the Commission.

(*3*) The Commission may authorise any of its members to exercise any of the powers conferred on it by clauses (*a*) to (*c*) of sub-section (*1*) and sub-section (*2*), and any order made or act done in exercise of any of those powers by the member authorised by the Commission in that behalf shall be deemed to be the order or act, as the case may be, of the Commission.

(*4*) If there is a difference of opinion among the members, the opinion of the majority shall prevail, and acts and orders of the Commission shall be expressed in terms of the views of the majority.

(*5*) The Commission as well as any group of associate members shall have power to act notwithstanding the temporary absence of a member or associate member or the existence of a vacancy in the Commission or in that or any other group of associate members; and no act or proceeding of the Commission or of any group of associate members shall be invalid or called in question on the ground, merely of such temporary absence or of the existence of such vacancy.

(*6*) The Commission shall be deemed to be a civil court for the purposes of sections 384 and 385 of the Bharatiya Nagarik Suraksha Sanhita, 2023. 46 of 2023.

Explanation.—For the purposes of enforcing the attendance of witnesses, the local limits of the jurisdiction of the Commission shall be the limits of the territory of India.

Readjustment of number of seats.

8. The Commission shall, having regard to the provisions of articles 81, 82, 170, sub-clause (*b*) and sub-clause (*bc*) of clause (2) of article 239AA, articles 330, 330A, 332, 332A and 334A, and also in relation to the Union territory of Puducherry, the National Capital Territory of Delhi and the Union territory of Jammu and Kashmir, having regard to the relevant provisions of the Government of Union Territories Act, 1963, the Government of National Capital Territory of Delhi Act, 1991 and the Jammu and Kashmir Reorganisation Act, 2019, respectively, by order, determine,— 20 of 1963. 1 of 1992. 34 of 2019.

(*a*) the number of seats in the House of the People to be allocated to each State and Union territory and the number of seats, if any, to be reserved for the Scheduled Castes and the Scheduled Tribes;

(*b*) the total number of seats to be assigned to the Legislative Assembly of each State and the number of seats, if any, to be reserved for the Scheduled Castes and the Scheduled Tribes; and

(*c*) the reservation of as nearly as may be, one-third of the total number of seats in the House of the People and the Legislative Assemblies of the States for women, including women belonging to the Scheduled Castes and the Scheduled Tribes:

Provided that the total number of seats assigned to the Legislative Assembly of any State under this section shall be an integral multiple of the number of seats in the House of the People allocated to that State:

Provided further that the seats reserved for women in the House of the People and the Legislative Assemblies of the States, including women belonging to the Scheduled Castes and the Scheduled Tribes, shall be allotted by rotation in a State or a Union territory, as the Commission may deem fit:

Provided also that seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes shall be rotated within the constituencies reserved for the Scheduled Castes or the Scheduled Tribes, as the case may be.

Delimitation of constituencies.

9. (*1*) The Commission shall, in the manner herein provided, distribute the seats in the House of the People allocated to each State and Union territory and the seats assigned to the Legislative Assembly of each State to single-member territorial constituencies and delimit them on the basis of the latest census figures, having regard to the provisions of the Constitution, the provisions of the Acts specified in section 8 and the following provisions, namely:—

(*a*) all constituencies shall, as far as practicable, be geographically compact areas, and in delimiting them regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience;

(*b*) every Assembly constituency shall be so delimited as to fall wholly within one Parliamentary constituency;

(*c*) constituencies in which seats are reserved for the Scheduled Castes shall be distributed in different parts of the State and located, as far as practicable, in those areas where the proportion of their population to the total is comparatively large;

(*d*) constituencies in which seats are reserved for the Scheduled Tribes shall, as far as practicable, be located in areas where the proportion of their population to the total is the largest; and

(*e*) constituencies in which seats are reserved for the women including women belonging to the Scheduled Castes and the Scheduled Tribes, and rotation of such seats.

(*2*) The Commission shall—

(*a*) publish its proposals for the delimitation of constituencies, together with the dissenting proposals, if any, of any associate member who desires publication thereof, in the Gazette of India and in the Official Gazettes of all the States concerned and also in such other manner as it thinks fit;

(*b*) specify a date on or after which the proposals shall be further considered by it;

(*c*) consider all objections and suggestions which may have been received by it before the date so specified, and for the purpose of such consideration, hold one or more public sittings at such place or places in each State as it thinks fit; and

(*d*) thereafter by one or more orders determine—

(*i*) the delimitation of Parliamentary constituencies; and

(*ii*) the delimitation of Assembly constituencies,

of each State.

Special provision for reservation for women.

10. Notwithstanding anything contained in this Act, for the purpose of giving immediate effect to the reservation of seats for women in the House of the People and the Legislative Assembly of a State under article 334A of the Constitution, there shall be an increase of fifty per cent. in—

(*a*) the number of seats allocated to each State and Union territory in the House of the People; and

(*b*) the total number of seats in the Legislative Assembly of each State,

over and above the number of seats existing immediately before the commencement of this Act.

Publication of orders and their date of operation.

11. (*1*) The Commission shall cause each of its orders made under section 8 or section 9 to be published in the Gazette of India and in the Official Gazettes of the States concerned and simultaneously cause such orders to be published at least in two vernacular newspapers and publicise on radio, television and other possible media available to the public and after such publication in the Official Gazettes of the States concerned, every District Election Officer shall cause to be affixed, the Gazette version of such orders relating to the area under his jurisdiction, on a conspicuous part of his office for public notice.

(*2*) Upon publication in the Gazette of India, every such order shall have the force of law and shall not be called in question in any court.

(*3*) As soon as may be after such publication, every such order shall be laid before the House of the People and the Legislative Assemblies of the States concerned.

(*4*) Subject to the provisions of sub-section (*5*), the readjustment of representation of the several territorial constituencies in the House of the People or in the Legislative Assembly of a State and the delimitation of those constituencies provided for in any such order shall apply in relation to every election to the House or to the Assembly, as the case may be, held after the publication in the Gazette of India of that order and shall so apply in supersession of the provisions relating to such representation and delimitation contained in any other law for the time being in force or any order or notification issued under such law in so far as such representation and delimitation are inconsistent with the provisions of this Act.

(*5*) Nothing in this section shall affect the representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the House or of the Assembly, as the case may be, existing on the date of publication in the Gazette of India of the final order or orders of the Commission relating to the delimitation of Parliamentary constituencies or, as the case may be, of the Assembly constituencies of that State and any bye-election to fill any vacancy in such House or in any such Assembly shall be held on the basis of the provisions of the laws and orders superseded by sub-section (*4*) as if the said provisions had not been superseded.

(*6*) The Commission shall endeavour to complete and publish each of its orders referred to in sub-section (*1*) in the manner provided in that sub-section, within the term specified in the notification issued under sub-section (*3*) of section 3.

Power to maintain delimitation orders up-to-date.

12. (*1*) The Election Commission may, from time to time, by notification in the Gazette of India and in the Official Gazette of the State concerned,—

(*a*) correct any printing mistake in any of the orders made by the Commission under section 9 or any error arising therein from an inadvertent slip or omission; and

(*b*) where the boundaries or name of any district or any territorial division mentioned in any of the said orders are or is altered, make such amendments as appear to it to be necessary or expedient for bringing the orders up-to-date, so, however, that the boundaries or areas or extent of any constituency shall not be changed by any such notification.

(*2*) Every notification under this section shall be laid, as soon as may be after it is issued, before the House of the People and the Legislative Assembly of the State concerned.

Act to have overriding effect.

13. The provisions of this Act shall have overriding effect, notwithstanding anything contained in any other law for the time being in force, in respect of duties, powers and functions of the Commission under this Act.

33 of 2002.

Repeal.

14. The Delimitation Act, 2002 is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

The existing allocation of seats of Parliamentary and Assembly Constituencies is based on the readjustment made on the basis of the 1971 census and the division of territorial constituencies on the basis of 2001 census.

2. Articles 82 and 170 of the Constitution provide that the allocation of seats in the House of the People to the States and in the Legislative Assemblies, and the division of each State into territorial constituencies shall be readjusted in such manner and by such authority, as Parliament may by law determine.

3. Consequent on the commencement of the Constitution (One Hundred and Sixth Amendment) Act, 2023, articles 239AA, 330A, 332A and 334A provide for, as nearly as may be, one-third reservation of seats for women in the House of the People, the Legislative Assemblies of the States and the Legislative Assembly of the National Capital Territory of Delhi, including within the seats reserved for the Scheduled Castes and the Scheduled Tribes. The articles provide for specific reservation of seats for women in the House of the People and the Legislative Assemblies to enable enhanced participation of women in policy making and governance. Under the said provisions, the reservation and allocation of seats for women shall take effect only after the delimitation exercise is undertaken.

4. To give immediate effect to such reservation, the Constitution (One Hundred and Thirty-second Amendment) Bill, 2026 provides that the reservation of seats for women shall take effect after the first delimitation exercise undertaken upon the commencement of the said Amendment and for the said purpose, such delimitation shall provide for an increase of fifty per cent., in the number of seats in the House of the People and the Legislative Assemblies of the States and Union territories, over and above the number of seats existing immediately before such delimitation.

5. In consequence thereof, the purpose of the Bill is to constitute a Delimitation Commission, as soon as may be upon the commencement of the proposed Act, to undertake the exercise of delimitation, *inter alia*, to give effect to the reservation of seats for women in the House of the People and the Legislative Assemblies. The Bill further provides for the repealing of the Delimitation Act, 2002.

6. The Bill seeks to achieve the above objectives.

NEW DELHI; ARJUN RAM MEGHWAL.

The 27*th November*, 2026.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to provide for the constitution, as soon as may be after the commencement of the proposed Act, of a Delimitation Commission consisting of three members, of whom one shall be a person who is or has been a Judge of the Supreme Court, to be appointed by the Central Government as the Chairperson of the Commission, and the other two members shall be the Chief Election Commissioner or an Election Commissioner nominated by the Chief Election Commissioner, and the State Election Commissioner of the State concerned (or, in relation to the States of Meghalaya and Nagaland, a person nominated by the Governor of that State), *ex officio*. The term of the Commission shall be such as may be specified by the Central Government by notification, which may be extended on the request of the Commission.

2. Clause 5 of the Bill seeks to provide that the Commission shall associate with itself, for the purpose of assisting it in its duties in respect of each State, ten persons, five of whom shall be members of the House of the People representing that State nominated by the Speaker of that House and five shall be members of the Legislative Assembly of that State nominated by the Speaker of that Assembly. The said clause also empowers the Commission to call upon the Registrar-General and Census Commissioner, India, the Surveyor General of India, any officer of the Central Government or State Government, any expert in geographical information system or any other person, whose expertise and knowledge are considered necessary by the Commission, to provide assistance to it, and provides that one of the Secretaries to the Election Commission shall be the *ex officio* Secretary of the Commission and shall discharge his functions with the assistance of the employees of the Election Commission. Clause 11 of the Bill further provides for publication of the orders of the Commission in the Gazette of India, the Official Gazettes of the States concerned and in at least two vernacular newspapers, and for their publicity on radio, television and other media.

3. The expenditure on account of setting up of the Commission, including the salary and allowances of the Chairperson, the expenditure in connection with the associate members, experts and other persons called upon to assist the Commission, the publication and publicity of its proposals and orders and other expenses in connection with the working of the Commission, will be met from the Consolidated Fund of India and will be borne by the Election Commission of India along with other expenses incurred for the purpose of delimitation by the Commission.

4. The Bill, if enacted, would involve expenditure of a non-recurring nature from the Consolidated Fund of India. At this stage, it is not possible to estimate precisely the total expenditure likely to be incurred on the proposed Commission.

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to give effect to the reservation of seats for women in the House of the People and Legislative Assemblies of the States and Union territories and to provide for the readjustment of the allocation of seats in the House of the People to the States and Union territories, the total number of seats in the Legislative Assembly of each State and Union territory and the division of each State and each Union territory having a Legislative Assembly into territorial constituencies for elections to the House of the People and Legislative Assemblies of the States and Union territories and for matters connected therewith.

(*Shri Arjun Ram Meghwal, Minister of State (I/C) for Law & Justice and Minister of State of Parliamentary Affairs*)