
ONE PERSON, ONE VOTE, ONE VALUE? DELIMITATION AND THE CONSTITUTIONAL DEBATE ON REPRESENTATION IN INDIA

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ABSTRACT

The principle of “one person, one vote” appears simple, yet its constitutional application in India remains deeply contested. Delimitation has emerged as one of the most important constitutional debates in modern India, posing very intricate and challenging questions relating to democratic equality, representative democracy, and the federal character of the Indian Constitution. While delimitation aims to see that the system of parliamentary representation is in conformity with the demographic changes, it has also posed a number of questions related to the distribution of political power between the States.

This report analyses the constitutional framework for delimitation as provided by Articles 81, 82 and 170 of the Constitution of India, along with its history from the Forty-Second, Eighty-Fourth and Eighty-Seventh Constitutional Amendments. It also examines the contemporary debate regarding the constitution by looking at the recommendations of the ‘High Level Committee on Simultaneous Elections’, as well as works of ‘Robert A. Dahl’, ‘Granville Austin’, ‘A.K. Verma’, and ‘Tamesh Kumar Pandey and Priti Saxena’, along with constitutional doctrines from ‘S.R. Bommai v. Union of India’. It uses a doctrinal and analytical method by contemplating upon the relevant constitutional doctrines, reports, judgments, and scholarly writing.

Introduction:

Delimitation has been one of the most important issues related to the constitution of contemporary India. Though the term ‘delimitation’ means redrawing of constituencies on the basis of change in population, there is more to it than the administrative aspect alone. In essence, the issue of delimitation relates to the principles of representative democracy, political equality and federalism inherent in the constitution. The makers of the Indian Constitution envisioned that there should be a mechanism whereby representation could be made to keep pace with the demographic changes as envisaged in Articles 81, 82 and 170 of the Constitution of India. As pointed out by constitutional expert ‘M.P. Jain’, the constitution is an “instrument of governance” which adapts itself to the requirements of the changing society. However, the debate assumes extraordinary importance against the backdrop of the constitutional freeze imposed on the redistribution of parliamentary seats post-2026 lapsing. While, the “Forty-Second Constitutional Amendment Act, 1976”, supplemented by the “Eighty-Fourth Constitutional Amendment Act, 2001”, was meant to see that states which have been able to control population numbers, do not worsen due to reduced parliamentary seats. Granville Austin in his book, *The Indian Constitution: Cornerstone of a Nation*, has pointed out that the Indian Constitution aims at the synthesis of “national unity” and “social revolution”. Likewise, while the Indian debate on delimitation is one of equal representation versus federal cooperation, Dahl’s view of citizens as ‘political equals’ is a powerful tool in accentuating on the reasons behind unequal representation; an interest from a constitutional perspective.

Within this context, the current report deals with the constitutional development of delimitation, the reason for freezing the number of seats allotted, the findings of different Delimitation Commissions, significant judicial opinions, and the opposing constitutional viewpoints in the case of delimitation after 2026. The report will also discuss the observations made by the ‘High-Level Committee on Simultaneous Elections’ headed by former President ‘Ram Nath Kovind’, especially in relation to the discussion on electoral reforms. Based on constitutional provisions, committee reports, judicial judgments and academic scholarship, this report attempts to assess whether delimitation is only about numerical equality or a constitutional procedure involving balancing democracy and federalism.

Constitutional Framework and Evolution of Delimitation:

While many may view delimitation as a matter of merely altering the boundaries of the

constituencies for electoral purposes, its significance under the constitution expands much further than this. Delimitation is the method by which representation takes place, and whether all citizens have a say in their democracy on an equal footing is decided. As pointed out by A. K. Verma, in his article, 'Delimitation in India' that, it is "a complex and cumbersome exercise requiring very careful and meticulous handling as it involves politically sensitive and socially volatile issues". Verma thus reminds us that delimitation can certainly not be considered as an ordinary administrative process. Every change to constituency boundaries has constitutional ramifications, as each affects representation and therefore representative democracy as a whole.

Delimitation finds its constitutional roots in Article 81, 82, and 170 of the Constitution of India. Article 81 provides for the composition of the Lok Sabha as well as the allocation of seats amongst the states, whereas Article 82 empowers the parliament to pass a Delimitation Act after each Census in order to adjust the parliamentary constituencies. Article 170 has similar provisions for the Legislative Assemblies of the states. Collectively, it can be seen that there was a realization of changing the representation in the minds of the framers of the constitution. The objective was simple: "constituencies should, as far as possible, represent comparable populations so that the principle of equal representation is maintained". This idea also reflects Robert A. Dahl's democratic concept of government where it has to be responsive to the citizens considered as "political equals." If one constituency contains twice the population of another, but both elect one representative, the value of representation inevitably becomes unequal. Delimitation was intended to prevent precisely such imbalances.

For the purpose of implementing these constitutional provisions, Parliament has passed the 'Delimitation Commission Act, 1952'. The Delimitation Commissions have been constituted not only in 1952 but also subsequently in 1963, 1973 and 2002. The duties of these Delimitation Commissions have not merely limited to redrawing the boundaries of the constituencies, but they have also had to take into consideration 'geographical continuity, administrative considerations and local conditions' for fair representation. Commenting upon these delimitations, Verma writes that the earlier exercises in delimitation have been "largely fair and satisfactory" in nature. But he also mentions the fact that changing population trends have raised "several methodological issues that need to be resolved in a bipartisan, non-contentious manner". His argument is particularly relevant because it recognizes that delimitation is both a legal and a political exercise. While constitutional principles provide the framework, their implementation inevitably affects political interests, making neutrality and

institutional independence indispensable.

The constitutional debate surrounding delimitation became far more complex after the 'Forty-Second Constitutional Amendment Act, 1976'. It was during the seventies, when various States began exhibiting vastly divergent rates of population growth. Various southern states were able to introduce family planning schemes under the encouragement of the Union Government, whereas population growth was relatively higher in most of the northern states. The parliament was apprehensive that if the distribution of parliamentary seats was based solely on the criterion of population, those states which have been able to control their population would face disadvantage. Therefore, the number of seats allocated to each state was kept constant with reference to the 1971 census. This was an important change in the policy of the Constitution. Rather than give numerical equality absolute priority, Parliament decided to ensure the preservation of the balance between the federations by ensuring that demographic success would not become a political liability.

Although the freeze was initially intended to be temporary, it was extended by the 84th Constitutional Amendment Act, 2001 till the first census after 2026. The 87th Constitutional Amendment Act, 2003 allowed for the redrawing of the constituency boundaries in light of the 2001 census without changing the number of seats allocated to the various states. As A. K Verma notes that, "there was no proposal to lift the freeze on the number of seats in the Lok Sabha and the Legislative Assemblies". These amendments reflected parliament's attempt to balance fair representation with federal stability.

Delimitation has been accorded new importance in recent times within the context of electoral reform debates. Tamesh Kumar Pandey and Priti Saxena contend in "Electoral Harmony and Constitutional Balance," that, any reforms in relation to representative bodies should be made in line with 'constitutional morality, representative democracy', and 'cooperative federalism', rather than administrative convenience alone. Although their work focuses on simultaneous elections, its constitutional reasoning has equal relevance for delimitation reforms as well and thus corroborates the view expressed by Verma.

The history of delimitation shows that it is far from being an ordinary election exercise. In this time, delimitation has been elevated to become one of the greatest controversies of the Indian Constitution through amendments, judgements by courts, and opinions of academicians. The crux of the matter is the conflict between democracy and equality on one hand, and

federalism on the other. The constitutional question constitutes the starting point for the discussion of the post-2026 delimitation debate which follows in the next section.

The Contemporary Debate on Delimitation:

What should determine political representation in India—population, federal balance, or constitutional fairness? There is no single constitutional answer. The debate on delimitation demonstrates that each of these principles carries constitutional significance, and prioritising one often comes at the expense of another. In this regard, the ‘High Level Committee’ on Simultaneous Elections, chaired by former President ‘Ram Nath Kovind’, has drawn renewed attention to the constitutional implications of electoral reforms. Although constituted to examine the feasibility of simultaneous elections, the committee brought back the wider debate about the representation in Parliament and democratic governance in the future. Delimitation, thus, need to be understood not simply as the process of demarcating constituencies but as a constitutional issue where a balance has to be maintained between democracy and federalism.

Robert A. Dahl, in his book *On Democracy* (1998), argues that democratic governments must remain responsive to citizens “considered as political equals”. As per Dahl, democracy does not end with just voting; it also implies equal opportunity for every individual citizen to have an influence on the decisions of the representatives of the people. This concept of political equality is very pertinent to the issue of delimitation. While all citizens in India are formally entitled to one vote each, there have been many changes in demographics which have resulted in great disparities among the constituencies of Members of Parliament. Therefore, the principle of political equality as outlined in the constitution cannot be limited to adult franchise alone but also needs to incorporate the concept of representation.

Similarly, the Committee, while considering electoral reforms, realises that the issues related to the representation in the Parliament cannot be considered in isolation. Its findings imply that any reforms to the representative institutions will need to build on strengthening democracy but within the wider context of the constitution. The theory by Dahl and the methods adopted by the Committee clearly show that the issue of delimitation transcends election math into representative democracy in India.

Tamesh Kumar Pandey and Priti Saxena in their paper titled ‘Electoral Harmony and Constitutional Balance’ in the “Shimla Law Review” argues that electoral reform should not

be judged purely on the grounds of administrative efficiency or political convenience. Rather, they should be evaluated in the light of ‘constitutional principles of representative democracy, constitutional morality and cooperative federalism’. Although, the discussion mainly revolves around simultaneous elections, the logic can apply to the debate on delimitation as well.

The committee follows a similar approach by recognising that reforms relating to elections must maintain both democratic representation and constitutional stability. Instead of considering delimitation as a singular problem, their observations can be seen as a part of the larger effort of India’s democratic institution. The opinions of Pandey and Saxena and the Committee, taken together, make it clear that the current discussion is not limited to numeric equality alone.

Granville Austin, in *The Indian Constitution: Cornerstone of a Nation*, describes the Constitution as “first and foremost a social document”. This understanding suggests that the constitutional institutions must change according to the transformations occurring in the country. From this point of view, delimitation cannot be separated from the changing nature of population and representation. At the same time, Austin also realized that the Constitution was meant to maintain the unity of India alongside its great diversity. Thus, in performing delimitation, it is imperative for the process to be carried out with the aim of promoting both democratic equality and federal balance that underpins the constitutional balance.

Pandey and Saxena similarly argue that any change in the electoral system should preserve the legacy of constitutional morality and cooperative federalism. According to them, constitutional morality is essential for the legitimacy of representational politics and ensures that there is no deviation from the constitutional equilibrium between Union and States. Austin’s constitutional philosophy reinforces this view, indicating that delimitation must protect constitutional values alongside democratic equality.

“Does equal representation necessarily mean equal justice for every State?”. The problem arises when the constitutional implications suggested by democracy and federalism clash. For example, Tamil Nadu and Kerala argue that redistribution of seats in the parliament purely on the basis of population will reduce their political representation despite the fact that they have managed to control population as per Union guidelines. In contrast, states with higher population believes that a representative democracy need the elements of representation in parliament due to demographic realities. The Committee recognizes this dilemma and proposes

that in any reform which may involve representation institutions, both the issues of democracy and institutionality be preserved. The debate on delimitation is thus not ‘merely a process of allocating seats but one of harmonizing two equally important constitutional principles’.

“Can delimitation succeed without public trust and political consensus?”. A. K Verma, writing in the *Economic and Political Weekly*, observes that delimitation is “a politically sensitive exercise” because it directly affects the distribution of political representation. His study reveals that for the process to be legitimate, apart from being constitutionally valid, it should also be neutral and acceptable politically. This explains why delimitation cannot just be a mathematical exercise based on population figures alone. Electoral reforms, according to Pandey and Saxena, should also be based on constitutional morality and cooperative federalism so that they maintain the trust of the Union as well as the States. Their observations also support Verma’s view that the credibility of delimitation depends as much on the fairness of the process as on its constitutional validity. Unless the exercise inspires confidence among both the Union and the States, it is unlikely to achieve its intended purpose.

“Can democratic equality and federalism ultimately be reconciled?”. The committee recommends that electoral reforms must strengthen democratic institutions without undermining the constitutionality of the country. This approach reflects Robert A. Dahl’s view that democracy requires citizens to be “considered as political equals”, while also recognising Granville Austin’s understanding that the Constitution is “first and foremost a social document”. The importance of preserving this balance has been re-emphasised by the ‘Supreme Court in *S.R. Bommai v. Union of India* (1994)’, where it was held that ‘federalism forms one of the basic features of the Constitution’. Delimitation, however, ‘can no longer be considered merely in terms of democratic equality and federal harmony and public confidence’.

Conclusion:

Delimitation is clearly a much bigger issue than mere boundary changes. The preceding discussion makes it clear that the challenge to constitution arises from trying to strike proper balance between equality and federalism, without compromising on the credibility of India’s representative polity. Although it is necessary to re-evaluate parliamentary representation because of changes in demographic circumstances, such a process ought to align with the whole constitutional process ‘without destabilizing the federal structure’, that has developed over decades.

Ultimately, delimitation must not be considered simply as an election exercise or purely a matter of numbers. The effectiveness of this process rests on how well this process is ‘constitutionally acceptable, politically impartial, and enjoys public trust’. For delimitation in the future, the choice is not between democratic equality and federalism; the need is to ensure their survival in tandem through ‘constitutional provisions’ that further the development of representative democracy in India.

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