

Standing Committee Report Summary

Readjustment of Representations of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Bill, 2013

- The Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice submitted its 59th Report on the Readjustment of Representations of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Bill, 2013 on May 2, 2013. The Committee was headed by Mr. Shantaram Naik.
- Each state had reserved a number of constituencies for Scheduled Castes (SCs) and Scheduled Tribes (STs) based on their proportion of the population of the state. The constituency boundaries were redrawn in 2008 based on the 2001 Census. The constituencies where the SCs/STs have the highest share of the population were reserved for these groups. Between the Census of 2001 and May 31, 2012, several castes and tribes have been included and excluded from the list of SCs and STs, and consequently, the proportions have changed. (The Constitution (Scheduled Castes) Order, 1950 lists SCs and STs recognised in each state.)
- The Bill empowers the Election Commission to readjust Parliamentary and Legislative Assembly constituencies to reflect these changes. The Committee in principle agreed with the provisions of the Bill and recommended that that the Bill be passed.
- **Adherence to procedure:** The Committee desires that the Election Commission of India and other related agencies adhere to the procedure prescribed in the Bill, while giving effect to its provisions.
- **Change in number of seats:** The Committee noted that the readjustment exercise would only result in an increase or decrease of a few reserved seats of scheduled castes and tribes, for Parliamentary and State Assembly constituencies. It will neither change the number of constituencies nor will it be a delimitation exercise. (Delimitation is the process of fixing boundaries of territorial constituencies in India or a state having a legislative body. This is undertaken by the Delimitation Commission of India. It was last constituted in 2002 and dissolved in 2008 after executing its mandate.)
- **Delimitation Commission:** There were suggestions within the Committee that the task of readjustment be entrusted to the Delimitation Commission. The Committee observed that the Delimitation Commission ceased to exist in June 2008, after completing its task of delimiting constituencies throughout the country. Entrusting the tasks envisaged in this Bill to the Commission would require the Commission to be reconstituted. The Delimiting Commission is tasked with the “mammoth exercise” of delimiting constituencies through out the country. The Committee suggested that since the present task of readjustment is a limited exercise, compared to the larger task of Delimiting constituencies, constituting a fresh Delimiting Commission does not seem appropriate. Moreover, this exercise has been entrusted to the Election Commission of India in the past.
- **Application throughout India:** The drafting of this Bill was prompted by the Supreme Court’s judgment dealing with reservations for STs in Uttar Pradesh. Given this, certain members of the Committee felt that the delimitation exercise need not be undertaken throughout the country. However, the Committee concluded that limiting the delimitation exercise to Uttar Pradesh would be violative of the right to equality. A principle laid down in a judgment needs to be applied uniformly to all states.

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