



DELHI PUBLIC SCHOOL
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A YOUTH SERVICES
INITIATIVE

LOK SABHA



Agenda:

Deliberation on the Delimitation of
Parliamentary and Assembly
Constituencies.

Letter from the Executive Board

To the Hon'ble Delegates of the Lok Sabha,
Namastel

Welcome to the Lok Sabha at DWMUN. We are excited to witness the passion and intellect you bring to this house.

Always remember, MUNs are not about winning or losing; they are about learning. Every speech, every question, and every debate here will help you grow as a thinker, speaker, and future leader. Respect differing opinions, collaborate, and make the most of this platform.

We urge you to debate with passion, learn with curiosity, and most importantly, have fun. The friendships and knowledge you gain here will be the greatest takeaway.

Looking forward to an engaging and enriching session.

Warm regards,
Shrikanth B N
Surya Tej Reddy
Sanatan Goyal
Executive Board, Lok Sabha

Introduction to the

Committee

The Lok Sabha is the lower house of the Indian Parliament. It represents the people of India through directly elected members from across the country.

As part of the legislative branch, the Lok Sabha debates and passes laws, approves budgets, and holds the executive accountable. It is central to the working of Indian democracy and reflects the will of the citizens.

In this simulation, delegates will take on the roles of Members of Parliament. Each delegate is expected to understand their party's ideology, policy positions, and political alliances. The discussions will follow parliamentary procedures and aim to reflect the nature of real-world lawmaking in India.

The agenda of this session is Delimitation, which involves redrawing the boundaries of electoral constituencies based on changes in population. It is a sensitive and complex issue, tied closely to questions of representation, federalism, and political power. Delegates must carefully study the constitutional provisions, past Delimitation Commissions, and the implications for different states and communities.

This simulation challenges delegates to think critically about fairness in representation, regional balance, and the practical consequences of redrawing electoral lines. The goal is not only to debate but to reach practical legislative conclusions, just as Parliament would in a real session.

Rules Of Procedure (RoP)

1. SEATING OF THE PARLIAMENTARY MEMBERS:

The lay-out of the Chamber of the Committee should resemble as far as possible the lay-out of the Chamber of Lok Sabha. Ruling party to sit on the right side of the chair. Opposition and other alliances to sit on the left side of the chair. Both sides are more or less equal in no.

2. LANGUAGE:

Lok Sabha is a bilingual committee. Both Hindi and English are allowed. Only one language should be used in one speech and while debating.

3. PROCEDURE

The following procedure shall take its course during the 3-day session of the Committee.

- a) National Anthem
- b) Oath of Speaker
- c) Statements from the members of the house
- d) Discussion Hour
- e) Question Hour
- f) Zero Hour
- g) Introduction of Bills

h) Reading of Bills (discussion and amendments)

i) Voting (simple majority)

Note: an informal session or adjournment of maximum 15 minutes can be allotted to the house on the sole discretion of the chair. In case there is no bill available to be introduced the house will return to Discussion Hour. For the benefit of debate the chairperson has the right to start the second day directly from any point; however the same shall be informed at the end of day 1. The chairperson has the authority to put into effect any order or procedure that the chairperson may feel is required for the proper functioning.

4. OATH OR AFFIRMATION:

A newly elected member of the House is required to make an Oath or affirmation at the commencement of a sitting of the House. The prescribed form of Oath or affirmation is:

"I....., having been elected (or nominated) a member of (Committee) House of the People do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter."

5. STATEMENTS FROM THE HOUSE :

After establishing quorum, the speaker will ask for statements from the members. A total of 8 members (4 each from government and opposition) are given time on the floor to make statements. The leader of the house is the default first speaker and the leader of opposition is the default last speaker. However they may pass on their chance to speak to whoever they wish to. The other 6 speakers are chosen by the discretion of the chair when the MPs are asked for statements. The maximum time allowed to make statements is two minutes. Agendas for discussion hour (explained in the next section) are allowed to be sent once first two speakers have given their statements. Note: All the points (described later) including the points of information are allowed during this time.

6. DISCUSSION HOUR:

A discussion hour is the time allotted (maximum half hours) for the discussion on a sub-agenda which the members feel should be discussed in front of the house. The total time of all the discussion shall be an hour. All agendas for discussion hour are supposed to be sent prior the commencement of discussion hour. The speaker shall keep the agendas in chronological order and first put the agenda to vote which is received first on the Dias.

The chairperson may withdraw any agenda he/she feels has no relation to the agenda. However he/she has to notify the particular MP of the same on which the MP is allowed to send a chit explaining why the agenda should not be withdrawn. On receiving the agenda, the speaker will ask for seconds. An agenda requires 1/5th support of the house to enable it to be put to vote. • On receiving required seconds the chairperson will put the agenda to vote and the result is decided by a simple majority of placard vote. An extension to a discussion hour may be obtained if the total time does not exceed 30 minutes. Note: All points except points of information are allowed in the discussion hour.

7.QUESTION HOUR:

It is the one hour after the discussion hour where the members of the house are free to ask questions to each other on matters pertaining to agenda or on a national emergency provided that such a question is sent in writing to the said member via the speaker and with his due approval before the commencement of question hour. The question has been defined as an instrument by which a member can elicit information on any matter of public importance.

Starred Questions: Meant for oral answers.

Unstarred Questions: Meant for written answers.

The sender MP is allowed to ask a supplementary question, with the permission of the Chairperson, after the reply is obtained from the Minister concerned for starred questions. The chit on which the question is sent has to be properly marked/written as Starred or Unstarred to be in proper format. Any Starred question may be changed to unstarred on the discretion of the chair. The chair shall notify the sender of the same.

Answers to Unstarred questions are mandatory and have to be sent to the recipient MP via the chairperson before the end of question hour. Not more than two starred questions are allowed to be asked to a member. In case a particular MP has already received his quota of two starred questions then the chairperson shall change the further incoming starred questions as unstarred and notify the sender MP of the same. Similarly not more than twenty (20) unstarred questions are allowed to be asked to a member. Incase 20 unstarred questions have already been sent to a particular MP the chairperson shall return the question to its sender. The maximum questions, starred or unstarred, a member is entitled to send is 20 per day.

The right to ask a question is governed by the following conditions:- It shall be clearly and precisely expressed and shall not be too general incapable of any specific answer or in the nature of a leading question.

If it contains a statement, the member shall make himself responsible for the accuracy of the statement. It shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements. It shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition. It shall not ask as to the character or conduct of any person except in his official or public capacity. It shall not ordinarily exceed 150 words. It shall not relate to a matter which is not primarily the concern of the Government of India. It shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion. It shall not make or imply a charge of a personal character. It shall not raise questions of policy too large to be dealt with within the limits of an answer to a question. It shall not repeat in substance questions already answered or to which an answer has been refused. It shall not ask for information on trivial matters. It shall not ordinarily ask for information on matters of past history. It shall not raise matters under the control of bodies or persons not primarily responsible to the Government of India. It shall not ask for information on matter which is under adjudication by a court of law having jurisdiction in any part of India. The Speaker shall decide whether a question, or a part thereof, is or is not admissible under these rules and may disallow any question, or a part thereof,

when in his opinion it is an abuse of the right of questioning or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

Note: All points except points of information are allowed in the question hour

8. ZERO HOUR:

It starts immediately after the Question Hour. During the Zero Hour any question pertaining to agenda or a national emergency can be raised by a member without any prior written request.

The Zero Hour can extend to any period of time depending upon the Speaker's direction. The government is not obliged to answer any of the questions raised in the Zero Hour. However in the context of the debate it is highly expected from them to answer all the questions. The chairperson shall choose the MPs on his discretion.

Note: All points except points of information are allowed in the zero hour

9. CALLING ATTENTION NOTICE:

The idea of Calling Attention Notice has originated in our country itself a combination of questions for answers with supplementary and brief comments on a matter of urgency and public importance.

The calling attention notice has to be sent to in written to the chairperson who shall use the time between two procedural hours ie that is Discussion Hour and Question Hour or Question Hour & Question Hour and Zero Hour for the same. However the chairperson is allowed to allow calling attention notice at any time if the matter of emergency or has to be resolved urgently. The Opposition gets a chance to criticize the Government and its policies

Procedure: The Speaker calls the name of the member (or members) in whose name the item has been mentioned. On being called, the member raises in his/her seat and calls the attention of the Minister concerned and requests him/her to make a statement on the matter. The form, in which the member calls the attention, is as follows: I call the attention of the Minister.....to the following matter of public importance and I request that he/she may make a statement there on. The Minister then makes a statement of facts. The member or members, in whose name or names the notice has been issued, are permitted to ask questions seeking clarification arising out of the statement made by the Minister. The Minister after hearing all the questions raised by the Members will give a consolidated reply thereto and after that there would be no further discussion on the matter.

10. ADJOURNMENT MOTION (OPTIONAL):

Any matter which is of urgent importance and which is so grave that it affects their interest and safety of the country can be raised through an adjournment motion. In order that the adjournment motion be admitted it must-

1. Be related to a single specific issue.
2. Be urgent, and
3. Be of public importance.

11. NO-CONFIDENCE MOTION (OPTIONAL):

There is an express constitutional provision which lays down that the Council of Ministers will be responsible to the Lok Sabha. In a parliamentary democracy it means that the Ministers hold their offices so long as they enjoy the confidence of the Lok Sabha. The moment the Lok Sabha expresses its no-confidence in the Ministry the Prime Minister and his/her Ministers have to leave. Thus the Prime Minister and his/her Council of Ministers are collectively responsible to the Lok Sabha. For the benefit of debate this motion shall not be allowed to be raised before the second day of committee. The member who wishes to raise this particular motion shall take proper permission before raising this motion. On receiving the agenda, the speaker will ask for support. For this motion to pass it shall require an affirmative vote of 40 members. The Chairperson in this motion shall allow every question necessary to determine the decision of

the House on the motion. The chairperson will allot specific time period for speeches and will allow as many speakers as possible in this particular motion.

After the members have spoken on the motion, the Prime Minister gives a reply to the charges leveled against his/her government. The mover of the motion has the right to reply. When the chairperson feels there has been sufficient debate on the question he shall put forward the motion to vote.

12. PRIVILEGE MOTION:

It is a motion raised by a Member of Parliament. He charges the Minister with committing a breach of the privilege of the House by withholding or distorting facts. The motion can be raised at any time in the parliament. The Minister is given a chance to reply and the MP who has raised the motion is allowed to ask supplementary questions.

13. ANTI-DEFECTION LAW/ ANTI-DEFECTION MOTION:

If a member of the parliament votes (or abstains) against the directives issued by his/her party, without the written permission of the said party, the member stands to be disqualified on grounds of defection if such a request is made to the speaker by the leader of the party in the house or in case of the leader standing on defection- any member of the house belonging to that party. In case of single-seat parties, the defection is to be decided at the discretion of the Speaker.

14. LEGISLATIVE BUSINESS:

Law-making is a major function of Parliament and, therefore, in the Committee the legislative business should form an important part. All legislative proposals are brought in the form of Bills before the Parliament. No Bill can become a law unless it has been passed by the parliament and has received assent of the President. The proposal is given the shape of a Bill and introduced in Parliament. Bills are either Government Bills which are sponsored by Ministers, or private members' bills which are sponsored by individual members other than ministers. Each Bill undergoes three Readings.

1. First Reading: The First Reading means a motion for permission to introduce a Bill. On the adoption of the motion the Bill is introduced.
2. Second Reading: There are two stages in the Second Reading of the bill. In the first stage, the motion that the Bill be taken into consideration is adopted. [This is followed by discussion on the principles of the bill.] In the second stage, clause-by-clause consideration of the Bill is taken up. Notices of amendment are given any time after the introduction of a Bill. An amendment is admissible if it is within the scope of the bill. After the introduction of the bill, the minister concerned formally moves that the bill be taken up for consideration.

The minister will say; "sir, I beg to move that the bill be taken into consideration." The Minister then makes a brief introductory speech outlining of the importance of the Bill. After this the Speaker formally places the motion before the house with the announcement that "The motion is that the Bill is taken into consideration." This is followed by a discussion in which the members from either side can take part after giving prior notice of their intention to the secretary-general. It may be noted that the discussion should be held on the general principles and provisions of the Bill. The Speaker asks members from both the Treasury and the Opposition benches to speak on the bill. After the discussion, the Minister concerned makes a closing speech and winds up the discussion. The motion for consideration is then put to the house. After it has been adopted, clause-by-clause discussion of the bill takes place. Amendments, if any, are permitted and voted upon.

3. Third Reading: In the Third Reading the Minister concerned moves that the bill be passed. The Speaker then puts the question before the house in these words: The Question is that the.....Bill, 199... be passed. After that the house will vote on the bill. The speaker will then say that 'the Bill is passed (not passed)', as the case may be. It may be noted that for passing an ordinary Bill a simple majority is required and for Bills pertaining to Constitutional Amendments two-thirds majority is necessary.

15. PRIVILEGES TO THE MPs:

These privileges in the form of permission or points are allowed at all times when a speaker is not speaking or immediately after the speaker has finished speaking. Point of Information is not allowed at certain times as mentioned above in relevant sections. Permission to raise a motion is only allowed at certain time periods as previously mentioned along with the motions

- **PERMISSION TO RAISE A MOTION:** A MP at any time can raise his/her placard and seek permission from the chair to raise a motion.
- **POINT OF INQUIRY:** inquiry about parliamentary procedures and conduct to the chair.
- **POINT OF ORDER:** This may be introduced in order to complain about improper parliamentary procedures; however the Chair may overrule the point. This can also be used in case of a factual error.
- **RIGHT TO REPLY:** If a particular member present feels that a grave (or false) statement has made by others towards that member, he/she may privilege the right of reply with the permission of the chair.
- **POINT OF PERSONAL PRIVILEGE:** This may be used in order to remove a personal discomfort.
- **POINT OF INFORMATION:** This may be used to put up questions on a members' statement

Introduction to the Agenda

Delimitation is one of the most sensitive and important processes in Indian electoral politics. It determines how the country's parliamentary and assembly constituencies are drawn, and thereby affects the distribution of political power across regions. Its main goal is to ensure that each constituency represents roughly the same number of people, in line with the principle of equal representation: one person, one vote, one value.

To prevent political bias in drawing constituency boundaries, the process is managed by the Delimitation Commission, an independent body set up under the Delimitation Act of 2002. The Commission includes a retired judge of the Supreme Court as its Chairperson, the Chief Election Commissioner of India, and the respective State Election Commissioner. These members work in coordination with the President of India and the state machinery to study population data and redraw electoral boundaries accordingly.

The Commission first prepares a draft proposal and publishes it in the Gazette of India, inviting objections and suggestions from the public. After reviewing this feedback, it finalizes and publishes its report. The Constitution gives this report final legal authority. Once the orders are issued, they cannot be challenged in court or modified by Parliament or state legislatures. The implementation date is set by the President of India.

Delimitation also affects the number of reserved seats for Scheduled Castes and Scheduled Tribes. These are decided in proportion to their population in each state.

However, the system has received criticism. A major issue is that Article 81 of the Constitution sets a fixed upper limit on the number of seats in the Lok Sabha (550 total—530 for states and 20 for Union Territories) and 250 in the Rajya Sabha. This contradicts Article 82, which states that after every census, the allocation of seats should reflect changes in population. Due to this cap, states that have controlled population growth may lose influence in Parliament, while others with high population growth may gain more seats. This has raised concerns among states in southern India, which have implemented strong population control measures and now risk being underrepresented. Another issue is the reliability of the census, which forms the base for any delimitation exercise. Although the census is meant to be held every ten years, many experts have questioned

the accuracy and neutrality of past data, especially with regard to caste and gender. This has made every delimitation exercise controversial and politically charged.

The next delimitation was supposed to follow the 2021 census and apply to the 2024 general elections.

However, due to delays caused by the COVID-19 pandemic, both the census and the delimitation exercise have been postponed to 2026. The upcoming census is planned in two stages: house listing and population enumeration. These are to take place after the 2024 elections, but no confirmed timeline has been released. There are also concerns that the ruling government may be delaying the process to influence constituency boundaries, especially regarding upper-caste vote banks and the representation of religious minorities.

List of Key Terms

1. **Constituency:** A geographical region that contains a group of electors who elect a representative to a legislative body.
2. **Delimitation:** The act or process of fixing limits or boundaries of territorial constituencies in a country or a province having a legislative body.
3. **The Delimitation Act, 2002:** A law in force within the territory of the Republic of India that empowers the central government to constitute a 'delimitation commission.' This commission has the sole authority to readjust the size of constituencies of the Lok Sabha and state legislative assemblies.
4. **Family Planning:** Family planning is the information, means, and methods that allow individuals to decide if and when to have children. This is a key issue of controversy between northern and southern states. Southern politicians often allege that the North's failure to implement such policies will give the Northern states an unfair majority of seats in parliament.
5. **Census:** A census is a procedure of systematically acquiring, recording, and calculating population information about the members of a given population.

6. Gerrymandering: Maliciously manipulating the boundaries of a constituency so as to favor one party or class. A term originating from the United States, in recent years, fears have spread that the practice is spreading to India. For instance, the recent delimitation exercises in Jammu and Kashmir have had accusations of gerrymandering levelled at them.
7. Caste: A fixed social group into which an individual is born within a particular system of social stratification. Caste-based discrimination is one of the black marks on Indian society and a cause of key controversy.
8. Reservation: A system of policies in India that provides historically disadvantaged groups representation in education, employment, government schemes, scholarships and politics. Caste-based reservation is the primary way the Indian government compensates citizens affected by discrimination.

Historical Context

The last time Lok Sabha seats were reallocated among states based on population was in 1976, using data from the 1971 census. The Constitution requires that representation in the Lok Sabha be based on the population of each state, so that all citizens have equal value in their vote.

In 1976, through the 42nd Amendment, Parliament decided to freeze the allocation of Lok Sabha seats and the division of constituencies across states at 1971 levels. This freeze was introduced to avoid punishing states that had effectively implemented population control, and it was set to remain in place until the year 2000.

Later, in 2001, the 84th Constitutional Amendment allowed the government to adjust and reorganize territorial constituencies using data from the 1991 census. However, this amendment did not lift the freeze on increasing or decreasing the number of seats.

In 2003, the 87th Amendment updated this provision by requiring that future delimitation exercises use the 2001 census instead of the 1991 data. This amendment laid the legal basis for the next delimitation cycle, while the cap on the total number of seats remained in place.

The Delimitation

Act 2002

The Delimitation Act of 2002 was enacted by the Parliament of India to establish the legal framework for readjusting the boundaries and number of seats in the House of the People (Lok Sabha) and State Legislative Assemblies, based on the most recent census data. The primary objective of the Act is to ensure that each constituency reflects the current population structure, so that citizens across India are represented equally in Parliament, in accordance with the constitutional mandate of proportional representation.

This Act empowers the Delimitation Commission of India, a high-level independent authority, to carry out the process of delimitation. The Commission is constituted under Section 3 of the Act and operates as an autonomous body. It is chaired by a retired judge of the Supreme Court of India. Its two other members include the Chief Election Commissioner of India and the Election Commissioner of the concerned State or Union Territory. These three form the core decision-making body of the Commission. In addition, Associate Members are nominated under Section 5 of the Act. These include sitting Members

of Parliament and State Legislatures who represent the regions affected by the delimitation process. Associate Members can participate in discussions but do not have voting rights on final decisions.

The definitions section of the Act clarifies key terms for legal and administrative clarity. "Article" refers to any provision in the Constitution of India. "Associate Member" refers to those nominated under Section 5, typically legislators from the affected region.

"Commission" means the Delimitation Commission constituted under Section 3. "Election Commission" refers to the Election Commission of India, as established under Article 324 of the Constitution.

"Member" includes any person who is part of the Commission, whether full or associate. The term "State" under this Act includes Union Territories that have Legislative Assemblies, such as Delhi and Puducherry.

Under Section 10, the Delimitation Commission is given broad administrative powers to determine its own procedures. It also holds the legal authority and status of a civil court, as defined in the Code of Civil Procedure, 1908 (Act No. 5 of 1908). This means the Commission may summon individuals, examine witnesses under oath, compel the production of documents, and requisition public records from government bodies. These powers allow the Commission to function independently and with legal weight. Furthermore, the Commission may require any citizen of India to furnish information,

documents, or data that it deems relevant to the process of boundary readjustment.

All decisions of the Commission are made collectively. As per the Act, decisions are valid if a majority of full members agree, and the absence of one or more members does not invalidate the proceedings or the final decision. If a member is absent during deliberations, their opinion is not required for the adoption of any resolution or order. These provisions are meant to prevent administrative deadlock and ensure that the work of the Commission proceeds efficiently.

In criminal or quasi-judicial matters, if there is a need to take action or impose penalties, the Commission is required to proceed under the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), specifically under Sections 345 and 346. These sections relate to offences such as obstruction, refusal to produce documents, or making false statements. In such cases, the Commission may refer the matter to a magistrate or competent court for prosecution.

Beyond its legal powers and procedures, the Act also contains detailed provisions on how the territorial constituencies are to be reorganized. The readjustment of seats is to be carried out based on the 2001 census, as mandated by the 87th Constitutional Amendment. While the total number of Lok Sabha seats is frozen until 2026, the Act allows for internal restructuring of constituencies within each state to reflect demographic shifts.

The duties of the Commission, as laid out in the Act, include:

- Determining the total number of constituencies for each state and Union Territory.
- Identifying the boundaries of each constituency based on geography, administrative convenience, and population distribution.
- Re-allocating reserved seats for Scheduled Castes and Scheduled Tribes based on updated population figures.
- Addressing casual vacancies in the Commission by nomination from appropriate authorities, to ensure that the Commission's functioning is not interrupted.
- Publishing draft proposals in the Gazette of India and local newspapers, inviting public objections and suggestions.
- Conducting public hearings in affected regions to gather input from citizens, political parties, and stakeholders.
- Finalizing and publishing the delimitation orders, which come into effect on the date specified by the President of India.

Once the Commission's orders are published, they have the force of law and are not subject to judicial review. The Constitution clearly states that the orders of the Delimitation Commission cannot be challenged in any court of law. Neither the Lok Sabha nor any State Legislative Assembly has the authority to amend, reject, or delay these orders once they are issued.

The Act also includes a repeal clause, nullifying earlier laws that governed delimitation prior to the 2002 Act. However, it includes savings clauses to ensure that any orders made under previous laws remain valid until replaced by new ones.

In sum, the Delimitation Act of 2002 provides a robust legal and administrative framework for ensuring fair and representative electoral constituencies across India. It upholds constitutional principles of equality, federalism, and independence of electoral institutions, while also ensuring that the demographic realities of the country are reflected in its political map.

Case Study

THE MANDAL COMMISSION

Caste remains a highly sensitive issue in modern India. Even in 2023, many of our fellow citizens continue to suffer from caste-based violence and atrocities, and members of the lower castes feel oppressed, protesting against this injustice daily. Recognizing these concerns, in 1979, Prime Minister Morarji Desai decided to establish a commission to identify the lower castes based on social or educational metrics.

The findings of this commission, known as the Mandal Commission, would significantly impact the course of Indian politics.

The commission reported that 52% of the population in India belongs to backward castes. To address their plight, the government was recommended to significantly scale up reservation and caste-based welfare schemes. This finding sparked an intense debate, leading to both pro-reservation and anti-reservation sentiments, often manifesting in violent protests. Exploiting this battle to implement the commission's findings, a new generation of leaders emerged, including Bihar Chief Ministers Lalu Prasad Yadav and Nitish Kumar, and Karnataka Chief Minister Siddaramaiah. They formed caste-based coalitions.

However, until recently, the government's last accurate caste data dated back to a census conducted under British rule in 1931. Given the prevalence of caste-based schemes in the nation, regional caste leaders have been urging the government to conduct an updated census to obtain more reliable data. While the government did collect this data in the 2011 census, it refused to publish it due to errors.

KARNATAKA

In Karnataka, during his first term as chief minister, Siddaramiah commissioned a caste survey in 2015 to ensure reservation benefits align with caste populations. Headed by Justice Kantharaj, the report was completed in 2018 but remains unpublished.

Facing criticism for being a waste of taxpayer resources, legal challenges, and leaked data upsetting traditional caste groupings, the report has resurfaced in light of Bihar's findings. With top Congress leaders like Rahul Gandhi endorsing a nationwide caste census, Siddaramiaah is now under pressure to release the report.

BIHAR

In Bihar, dissatisfied with the lack of data, the government, like Karnataka under CM Nitish Kumar, proceeded with an independent caste survey in 2022. The data was published on October 2, 2023, but has been controversial. It has faced widespread criticism for manipulating data, using an unreliable methodology, incorrect accounting of castes and subcastes, and stoking caste-based tensions for political gain.

Women's Reservation Bill

Women constitute a dismal 15.2% (82 people) of representatives in Lok Sabha, 13% (31 people) in the Rajya Sabha, and 9% total in State Legislative Assemblies. In 2015, the Report on the Status of Women in India noted that decision-making positions in political parties have negligible presence of women. It recommended reserving at least 50% of seats for women in local bodies, State Legislative Assemblies, Parliament, ministerial levels, and all decision-making bodies of the government. Consequently, bills amending the Constitution to reserve seats for women in Parliament and State Legislative Assemblies have been introduced in 1996, 1998, 1999, and 2008. The first three Bills lapsed with the dissolution of their respective Lok Sabhas and the fourth was passed in the Rajya Sabha and tabled in the Lok Sabha in 2014.

In lieu of this, the 128th Constitutional Amendment Bill, 2023 was introduced on September 19th, 2023 and passed by both Houses of the Parliament on September 20th. Colloquially known as the Women's Reservation Bill, the bill aims to reserve 1/3rd (33%) of seats in the Lok Sabha and all State Legislative Assemblies (including the Legislative Assembly of the National Capital Territory of Delhi).

This reservation also means that 1/3rd of seats reserved for SCs and STs in Lok Sabha and state legislatures must go to women. Sonia Gandhi criticized this, stating that reservations should be also specifically applied to women in Other Backward Classes (OBCs) i.e., 'quotas within a quota.' Others also want to apply this to Muslim women.

Seen by most as a historic victory towards gender equality in Indian politics, the bill has come under fire for a variety of reasons, most notably its delay in implementation, which is where it ties into our agenda. Article 334A under the bill makes a key change from the previous 2008 Women's Reservation bill: the date of commencement.

Previously in the 2008 Bill, reservations were to be made after each election on a rotational period, but in the newly passed bill, reservations will change amongst the constituencies based on census and their consequent delimitation exercises. The reasoning behind this is that reservations can be made based on critical data of the census and incorporate the feedback of the public and current political context through delimitation.

This effectively means that though the bill has been passed, women's reservations will not come into effect until after the newly updated census and 2026 delimitation exercise, and certainly not before the 2024 May general elections, a prominent critique of the bill. This effectively makes the victory a law on paper, but a reality far away.

Amit Shah's comments about the bill not being a reality until 2029 have amped criticism of its ties to delimitation.

Even after implementation, the constant obfuscation of delimitation and the censuses mean a highly unreliable rotational period. Moreover, critics argue that the rotation of reserved seats may reduce the incentive for MPs to work for their constituencies as they could be ineligible to seek re-election from that constituency. A study by the Ministry of Panchayati Raj recommended that rotation of constituencies should be discontinued at the panchayat level because almost 85% of women were first-timers and only 15% of women could get re-elected because the seats they were elected from were de-reserved.

Additionally, when considering the issue of reservations, constituencies may be limited in options when reservations are applied to them, as a limited number of female candidates stand for elections. Two alternatives have been suggested by some experts: reservation for candidates within political parties or dual member constituencies where some constituencies shall have two candidates, one being a woman. This was implemented historically for SC/ST reservations as multi-member constituencies which included an SC/ST member, but a 1961 Act converted all constituencies into single-member constituencies. The reasoning was that the constituencies were too large and SC/ST members felt that they would gain in

importance in single-member reserved constituencies. Many also feel that the current governing party may use majorities to create 'political constituencies' where reservations are deliberately given to key opposing constituencies of the ruling party.

The Caste Census

The census in India has a rich historical background, tracing its roots back to the colonial initiative of 1881. This crucial exercise plays a pivotal role in capturing the demographic landscape, allocating resources, monitoring social transformations, and facilitating delimitation exercises. However, the census has faced criticism for its broad approach, deemed less suitable for nuanced inquiries.

Originating in 1881, the census in India serves as a vital tool for the government, policymakers, academics, and others to comprehensively understand the population, allocate resources, track social changes, and conduct delimitation exercises.

Despite its significance, the census has been criticized for its broad and generalized nature, considered inadequate for specialized inquiries.

The Socio-Economic and Caste Census (SECC) made its debut in 1931 with the primary objective of gathering information on the economic status of Indian families in both rural and urban areas. The SECC aimed to identify indicators of deprivation and collect data on specific caste names to assess the economic conditions of various caste groups.

The SECC conducted in 2011 aimed to collect comprehensive data on socio-economic indicators alongside caste information. However, due to concerns over data quality and classification challenges, the raw caste data collected in the SECC has not been released or utilized effectively.

Recommendations from an Expert Group for classification are still pending implementation. While the census provides a general overview of the Indian population, the SECC serves the specific purpose of identifying beneficiaries of state support. The Census Act of 1948 ensures the confidentiality of census data, while personal information collected in the SECC is accessible to government departments for determining household benefits.

Overall, the collection of caste-based data in India has a long history, extending until 1931. However, post- 1951, the decision to halt the collection of caste data aimed to move away from a divisive approach and promote national unity. Despite this, contemporary socio-political dynamics have sparked a renewed call for a caste census.

As of 2021, the Government of India has affirmed in the Lok Sabha that it has decided not to enumerate caste-wise population, excluding Scheduled Castes (SCs) and Scheduled Tribes (STs), in the census.

In conclusion, the debate surrounding the census and the socio-economic and caste census in India reflects the intricate balance between addressing social inequalities, ensuring equitable resource distribution, and navigating the complexities of caste-based data collection. The government's stance, arguments for and against a caste census, and the role of the SECC underscore the multifaceted nature of this issue, highlighting the need for careful consideration in shaping policies that foster national unity and inclusivity.

Questions A

Resolution Must Answer (QARMA)

- To what extent has the freeze on Lok Sabha seat allocation, imposed by the 42nd Constitutional Amendment Act of 1976 and extended until 2026, affected the proportional representation of states in Parliament, especially in view of uneven population growth across regions? Is there a valid legal or demographic reason to reconsider this freeze?
- To what extent does the 87th Constitutional Amendment Act of 2003, which uses the 2001 census for delimitation, accurately reflect changes in population distribution, internal migration, and regional development since 1991? Has it kept pace with India's current demographic realities?
- To what extent has the lack of caste-based data in recent census exercises limited the government's ability to create policies aimed at reducing social and educational inequality across caste groups?

- To what extent does the discontinuation of comprehensive caste data collection after the 1951 census affect debates around the Women's Reservation Bill and other equity-related reforms? Should a new caste census be conducted to address present-day questions of representation and justice?
- To what extent has the Government of India's 2021 decision not to collect caste-wise population data (excluding Scheduled Castes and Scheduled Tribes) reduced the accuracy of data needed for policy planning and the identification of marginalised communities?
- To what extent does the absence of updated caste-based data affect the government's ability to assess and improve the effectiveness of affirmative action policies, such as reservations for Other Backward Classes and other disadvantaged groups?
- To what extent could a caste census help identify underrepresented and disadvantaged communities, and assist in the formulation of targeted laws and policies to reduce social inequality in modern India?

- To what extent does Article 340 of the Constitution, which empowers the President to investigate the condition of socially and educationally backward classes, support the case for collecting caste-based data through the census? Should this constitutional mandate guide the government's approach to data collection?
- To what extent does the current public and political debate on caste-based data reflect concerns about reinforcing caste divisions, and can such concerns be addressed through transparent, well-regulated, and purpose-specific data collection methods?