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Post-2026 Delimitation In India: Constitutional Federalism, Democratic Equality, And The Future Of Political Representation

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Abstract

The impending expiration of the constitutional freeze on electoral delimitation in 2026 presents one of the most profound institutional crises for the Indian Republic, pitting the foundational doctrine of democratic equality against the structural imperatives of constitutional federalism. Through a doctrinal and critical analysis of constitutional texts, statutory frameworks, and Supreme Court jurisprudence, this article investigates the structural tensions arising from deeply asymmetrical demographic growth across Indian states. Since the Forty-second Amendment in 1976, the allocation of seats in the Lok Sabha has remained tethered to the 1971 census to insulate the political representation of constituent units that successfully implemented national population control directives. A rigid, mathematically absolute application of the population-to-seat proportionality principle in the upcoming post-2026 delimitation threatens to abruptly disenfranchise these demographically stable Southern states, thereby transferring decisive legislative hegemony to populous Northern states. This demographic determinism risks rupturing the cooperative federal compact and breaching the constitutional trust integral to India's democratic governance. Reconciling this conflict requires a departure from orthodox majoritarian interpretations of electoral equality. The article argues that the absolute non-justiciability of delimitation orders must be carefully re-evaluated within the framework of the basic structure doctrine to prevent macro-level federal disenfranchisement. Ultimately, this study proposes a reimagined constitutional compromise rooted in pragmatic federalism. It advocates for a bifurcated delimitation model comprising rigorous intra-state territorial rationalization to cure localized malapportionment, coupled with a capped redistribution of inter-state parliamentary seats. Furthermore, the article asserts that preserving the Union's federal equilibrium necessitates structural reforms to the Council of States, transitioning towards genuine legislative federalism through equitable state representation. By decoupling political empowerment from unchecked demographic expansion, this restructuring can sustain representational justice without destabilizing the sovereign unity of the Indian constitutional state.

Keywords

Constitutional Federalism; Electoral Delimitation; Democratic Equality; Representational Justice; Demographic Asymmetry; Constitutional Trust

Introduction

The periodic readjustment of electoral constituencies, fundamentally known as delimitation, is an indispensable constitutional mechanism designed to secure the democratic tenet of electoral equality. In a representative democracy, the mandate that all votes cast must bear equal weight necessitates the regular realignment of electoral boundaries to reflect demographic shifts, thereby preventing malapportionment. However, in the Indian constitutional context, the exercise of delimitation transcends mere administrative boundary-drawing; it is inextricably linked to the distribution of sovereign political power between the constituent units of the Union. The impending unfreezing of the delimitation process post-2026 represents a transformative democratic moment, poised to profoundly test the resilience of India's collaborative federalism and its commitment to representational justice.

To contextualize this impending transition, one must examine the unprecedented constitutional freeze placed on India's electoral apportionment. Through the Constitution (Forty-second Amendment) Act, 1976, the total number of parliamentary and legislative assembly seats allocated to each state was frozen based on the 1971 census figures. This suspension was subsequently extended by the Constitution (Eighty-fourth Amendment) Act, 2001, which mandated that no readjustment of seats would occur until the publication of the first census after the year 2026. The explicit rationale underpinning this protracted freeze was to insulate national population stabilization efforts. The constitutional framers of these amendments recognized a stark policy dilemma: states that successfully implemented family planning programs would invariably face a reduction in their relative demographic share, thereby suffering a consequent loss of political representation in the Lok Sabha.

As the 2026 deadline approaches, this historical compromise has birthed a severe federal fault line, primarily manifesting as a North–South political divide. Southern states, such as Kerala and Tamil Nadu, which have achieved remarkable success in population control, now face the immediate prospect of diminished political weight. Conversely, Northern states with higher fertility rates, including Uttar Pradesh, Bihar, and Rajasthan, stand to gain a disproportionately massive increase in electoral dominance. This demographic asymmetry triggers a profound constitutional friction between the democratic principle of “one person, one vote” which demands strictly population-based representation and the federal principle of equitable state representation. The volatility of this crisis was recently illustrated by the defeat of the Constitution (One Hundred and Thirty-First Amendment) Bill, 2026. The Bill, which sought to expand the Lok Sabha to a maximum of 850 seats based on the 2011 census to facilitate women's reservation, collapsed precisely due to strident opposition regarding the disproportionate marginalization of Southern and North-Eastern states.

In light of this constitutional gridlock, this research article posits several central research questions: First, how can the Indian constitutional framework reconcile the democratic mandate of electoral equality with the federal necessity of equitable regional representation? Second, what are the institutional and legal implications of executing a post-2026 delimitation in a deeply asymmetrical demographic landscape?

The primary objective of this study is to critically analyze the constitutional dilemmas inherent in the post-2026 delimitation exercise. It seeks to evaluate the federal friction arising from unfreezing seat allocations and to propose theoretical and institutional paradigms that can navigate this transition without rupturing India's fragile federal balance.

This article operates on the hypothesis that a rigid, mathematically absolute application of the population-to-seat proportionality principle in the upcoming delimitation will fracture the collaborative federal balance of the Indian polity. Therefore, it asserts that a reimagined constitutional compromise is imperative one that insulates the political representation of demographically stable states while simultaneously accommodating the imperatives of democratic equality and structural reform, such as gender representation.

Methodologically, this article adopts a doctrinal, analytical, and critical legal research approach. It synthesizes constitutional texts, statutory frameworks, Supreme Court jurisprudence, and parliamentary committee reports to construct a comprehensive critique of the delimitation framework. The scope of the study is

strictly confined to the constitutional and federal dimensions of the post-2026 delimitation of the Lok Sabha and State Legislative Assemblies. It eschews granular, constituency-level technicalities of boundary cartography, focusing instead on the macro-level federal consequences and the overarching restructuring of political representation in India.

Constitutional Framework of Delimitation in India

The constitutional architecture of political representation in India is intricately designed to harmonize the democratic imperative of absolute electoral equality with the structural necessities of a federal polity. At the heart of this framework lie Articles 81 and 170 of the Constitution, which operationalize the fundamental democratic doctrine of “one person, one vote” by translating it into “one vote, one value”. Article 81, which governs the composition of the Lok Sabha, mandates a rigorous dual uniformity: first, the ratio between the number of seats allotted to each State and the population of that State must be identical across the Union; second, within each State, the ratio between the population of a territorial constituency and the seats allotted to it must be practically uniform. Article 170 mirrors this exact demographic and territorial parity for the State Legislative Assemblies, capping their maximum membership at five hundred and establishing a floor of sixty.

To sustain this delicate representational equilibrium against the continuous flux of demographic changes, the Constitution relies on the mechanism of periodic post-census delimitation. Article 82 dictates that upon the completion of each decennial census, the allocation of seats to the States in the Lok Sabha and the division of each State into territorial constituencies “shall be readjusted by such authority and in such manner as Parliament may by law determine”. To breathe life into this constitutional mandate, Parliament relies on its plenary legislative power under Article 327. This provision authorizes Parliament to enact laws regarding all matters relating to elections to either House of Parliament or the State Legislatures, specifically encompassing the preparation of electoral rolls and the delimitation of constituencies.

Acting under Article 327, Parliament periodically enacts Delimitation Acts, thereby constituting the Delimitation Commission as an independent statutory authority. The institutional design of the Commission reflects its high constitutional purpose. It is traditionally chaired by a serving or retired Judge of the Supreme Court, ensuring judicial objectivity, and includes the Chief Election Commissioner and State Election Commissioners, integrating vital electoral expertise.

The powers vested in the Delimitation Commission are uniquely expansive. Under the statutory framework, once the Commission publishes its final orders in the Gazette of India and the respective State Gazettes, these orders acquire the absolute force of law. Crucially, the Constitution shields this intricate exercise of electoral cartography from judicial interference to prevent the paralysis of the democratic process. Article 329(a) enshrines a strict constitutional bar, stipulating that “the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under article 327 or article 328, shall not be called in question in any court”. As an institutional mechanism, therefore, the Commission operates as the ultimate arbiter of territorial boundaries, insulated by an absolute constitutional ouster clause to ensure that the machinery of elections is not indefinitely stalled by localized litigation.

However, the organic correlation between the decennial census and delimitation originally envisioned by the framers has been severely altered by subsequent constitutional interventions. Seeking to insulate the political representation of States that successfully implemented national family planning programs from demographic penalties, Parliament initiated a protracted constitutional stasis. The Constitution (Forty-second Amendment) Act, 1976, decisively froze the allocation of seats in the Lok Sabha and State Legislative Assemblies, anchoring them to the population figures of the 1971 census.

This suspension of demographic proportionality was later entrenched by the Constitution (Eighty-fourth Amendment) Act, 2001, which extended the absolute embargo on altering the inter-state allocation of seats until

the publication of the first census taken after the year 2026. Recognizing, nonetheless, the severe internal malapportionment generated by intra-state migration and uneven regional growth, the 84th Amendment permitted the internal redrawing of territorial constituencies. Subsequently, the Constitution (Eighty-seventh Amendment) Act, 2003, established the 2001 census as the definitive baseline for this internal territorial delimitation.

Consequently, the current constitutional architecture of Indian political representation is characterized by a profound bifurcation. The macro-level federal balance the allocation of total seats to each constituent State remains perpetually tethered to the demographic realities of 1971, while the micro-level democratic equality the internal boundaries of those constituencies reflects the geography of 2001. This engineered constitutional freeze introduces a structural tension between the literal text of Articles 81 and 170, which demand strict population-based proportionality, and the overriding provisos that artificially suspend their operation. As the 2026 deadline approaches, the unfreezing of these provisions necessitates an institutional reconciliation of these diverging federal and democratic mandates.

Evolution of Delimitation and Representation in Independent India

In the formative decades of the Indian Republic, political representation remained dynamically tethered to demographic evolution. The Constitution envisioned a fluid architecture where electoral boundaries and seat allocations would be routinely adjusted to mirror population growth, thereby sustaining the democratic ideal of equitable representation. To this end, the Delimitation Commissions of 1952, 1962, and 1972 operated under statutory mandates to readjust territorial constituencies and state-wise seat allocations following the decennial censuses of 1951, 1961, and 1971, respectively. This active phase of apportionment steadily expanded the Lok Sabha's capacity from 494 seats in 1952, to 522 in 1963, and ultimately culminating in 543 seats following the 1973 delimitation exercise. During this era, the mathematical translation of population into political power was treated as a straightforward administrative necessity, largely devoid of the deep federal anxieties that would later characterize Indian electoral politics.

The turning point arrived in the mid-1970s, driven by an acute intersection of demographic governance and federal political reality. The central government recognized that strict, continuous adherence to population-based representation would inadvertently penalize states that successfully implemented national family planning programs. A stark demographic asymmetry was emerging: states in the South, such as Kerala and Tamil Nadu, as well as Punjab in the North, had achieved significant strides in population control, whereas populous Northern states like Uttar Pradesh, Bihar, and Rajasthan continued to exhibit high fertility rates.

Faced with the prospect that demographically progressive states would suffer a consequent loss of political representation in Parliament, the Union government engineered a profound constitutional intervention. Through the Forty-second Amendment during the Emergency in 1976, the total parliamentary and assembly seats in each state were frozen based on the 1971 census. This freeze was not merely a suspension of an electoral mechanism; it was a pragmatic federal bargain designed to decouple political empowerment from unchecked demographic expansion. It represented a historical consensus that federal equity and developmental governance must, at times, supersede the strict mathematical application of democratic proportionality.

This provisional compromise of 1976 was subsequently extended at the turn of the millennium. The Constitution (Eighty-fourth Amendment) Act, 2001, prolonged the embargo on altering the total number of seats allocated to each state until the publication of the first census taken after 2026. The legislative intent remained consistent: the freeze was sustained as a "motivational measure" to enable state governments to relentlessly pursue population stabilization agendas without the fear of electoral marginalization.

However, by 2001, the prolonged freeze had generated severe internal malapportionment. Due to decades of uneven intra-state migration and urbanization, constituencies within the same state exhibited massive

demographic disparities, blatantly violating the “one vote, one value” democratic tenet. To rectify this localized imbalance without disrupting the macro-level federal equilibrium, the Delimitation Act of 2002 was enacted. The 2002 Delimitation Commission, chaired by Justice Kuldip Singh, was exclusively tasked with redrawing internal constituency boundaries based on the 2001 census, without altering the total number of seats allotted to each state. Consequently, the 2002 exercise created a bifurcated representational reality: internal territorial boundaries were updated to reflect the demographic landscape of 2001, while the inter-state federal balance remained firmly anchored to the ghosts of the 1971 census.

While the numerical architecture of the Lok Sabha was held in institutional stasis, the sociological composition and political nature of parliamentary representation underwent a radical transformation. The decline of the dominant-party system in the late 1980s and the subsequent rise of coalition politics decentralized power, shifting the center of political gravity from New Delhi to the state capitals. The mobilization of historically marginalized communities particularly through the political assertion of the Other Backward Classes (OBCs) and Dalits fundamentally reshaped the Indian political discourse.

Within this evolving political landscape, the 1971 representational freeze inadvertently functioned as a vital constitutional shield for Southern and regional parties. As these regional entities became indispensable power-brokers in national coalition governments throughout the 1990s and 2000s, the frozen seat allocation ensured that their relatively smaller populations did not diminish their federal bargaining power. The federal system, therefore, stabilized not through mathematical equality, but through a unique “legislative federalism” where diverse regional voices shared power at the Centre.

Ultimately, the historical trajectory of delimitation in independent India reflects a deliberate and sophisticated departure from orthodox models of representative democracy. By prioritizing federal equilibrium and demographic responsibility over absolute population proportionality, the Indian state engineered a unique constitutional consensus that insulated the polity from the divisive potential of demographic asymmetry. Yet, this engineered stasis has built-in temporal limits. As the 2026 horizon approaches, the very historical consensus that successfully stabilized Indian federalism for half a century faces inevitable dissolution, forcing the Republic to confront the dormant demographic schisms it has deferred for fifty years.

Democratic Equality and the Principle of “One Person, One Vote”

The democratic republic established by the Indian Constitution relies on the bedrock principle of electoral equality and the sovereignty of the people. At the heart of this constitutional architecture is the doctrine of “one person, one vote,” which translates the abstract concept of political justice into tangible representative governance. In any representative system utilizing single-member constituencies, electoral districts that vary significantly in population a condition known as malapportionment directly violate the central democratic tenet that all votes cast must bear equal weight. The impending post-2026 delimitation exercise brings this fundamental democratic theory into sharp constitutional focus, necessitating a rigorous examination of how electoral equality can be maintained without compromising representational fairness.

Articles 81(2) and 170(2) of the Constitution operationalize this formal political equality by mandating a uniform ratio between the population of a constituency and the number of seats allotted to it, both inter-state and intra-state. As the Supreme Court articulated in *Association for Democratic Reforms v. Union of India*, the Constitution guarantees political equality by focusing on both the elector and the elected, ensuring that the value of each vote is equal. The classical theory of democracy posits that every individual, regardless of socio-economic status, has an equal stake in the justice and efficiency of governmental action, thereby necessitating an equal voice in the legislature. Consequently, unadjusted demographic shifts lead to severe vote dilution. When the voting power of citizens in heavily populated constituencies is drastically reduced compared to those in smaller constituencies, it subverts the very democratic legitimacy of the elected legislature.

However, in a pluralistic and asymmetric federal polity like India, the pursuit of strict numerical equality triggers a profound constitutional tension. While the “one person, one vote” principle demands absolute mathematical

parity across all electoral constituencies, Indian federalism simultaneously necessitates a substantive “federal balance” to ensure that the Union does not usurp the powers or marginalize the representation of its constituent units. The Supreme Court has repeatedly affirmed that both democracy and federalism are essential, inseparable features of the Constitution’s basic structure. A dogmatic, arithmetic adherence to numerical equality in the post-2026 delimitation would severely penalize Southern states that have successfully stabilized their populations. This creates an irreconcilable conflict between formal democratic equality which demands reapportionment based on current demographics and substantive federal fairness, which demands that states are not politically disenfranchised for adhering to national population control policies.

Resolving this tension requires an invocation of “constitutional morality,” a concept Dr. B.R. Ambedkar famously noted is not a natural sentiment but one that must be deliberately cultivated to prevent the degradation of democratic institutions. As the Supreme Court elucidated in *Government of NCT of Delhi v. Union of India*, constitutional morality implies strict adherence to the Constitution's core principles and acts as a vital fulcrum to check majoritarian actions that might subvert the democratic nature of the polity. It demands that representative governance remains accessible, transparent, and reflective of the popular will without marginalizing regional voices. Thus, electoral equality cannot be viewed purely through the lens of mathematical exactness; it must be infused with constitutional justness, ensuring that the federal structure operates in a coherent way consistent with its basic objectives.

The jurisprudence of the Supreme Court has consistently elevated electoral equality to the highest constitutional pedestal. In the landmark case of *Indira Nehru Gandhi v. Raj Narain*, the Court unequivocally established that democracy and free and fair elections constitute an unamendable part of the basic structure of the Constitution. Furthermore, the Court recognized that the right to equality, conferred by Article 14, is an essential postulate of this democratic framework, requiring that the electoral machinery ensures equal opportunity and prevents the dilution of the democratic process. The integrity of the electoral process is therefore pivotal for sustaining the democratic form of government, demanding a level playing field where no citizen’s political voice is structurally muted.

The future of political representation in India hinges on reconciling the formal equality of the individual voter with the substantive equality of the federal units. As judicial precedents affirm, democracy is a continual participative operation, not merely a periodic cataclysmic exercise. While internal territorial delimitation within states can and must rigorously apply the “one person, one vote” standard to correct intra-state malapportionment and ensure democratic equality, the macro-level federal distribution of seats demands a more nuanced application of constitutional morality. Ultimately, post-2026 political restructuring must balance the numerical dictates of electoral equality with the preservation of collaborative federalism, ensuring that the democratic process remains an effective instrument for ascertaining the popular will without breeding regional alienation.

Judicial Review, Delimitation, and Constitutional Limitations

The impending post-2026 delimitation exercise, fraught with profound federal and demographic consequences, will inevitably invite intense political and legal contestation. In a constitutional democracy where judicial review is entrenched as a basic feature, the extent to which the judiciary can scrutinize the redrawing of electoral boundaries remains a highly complex doctrinal issue. The Constitution of India carefully insulates the electoral process from protracted litigation through Article 329, creating a structural tension between the finality of delimitation orders and the fundamental right to constitutional remedies.

The orthodox constitutional position regarding the non-justiciability of delimitation is anchored in Article 329(a), which contains a non-obstante clause dictating that the validity of any law relating to the delimitation of constituencies or the allotment of seats, made or purporting to be made under Article 327, shall not be called in question in any court. The Supreme Court of India conclusively interpreted this embargo in the landmark Constitution Bench decision of *Meghraj Kothari v. Delimitation Commission* (1967). The Court held that

once the Delimitation Commission publishes its orders in the Gazette of India under the relevant Delimitation Act, those orders acquire the absolute force of law and are elevated to the status of a law made by Parliament under Article 327. Consequently, the absolute bar of Article 329(a) is triggered, immunizing the territorial cartography from judicial scrutiny.

The rationale underpinning this severe judicial restraint is fundamentally pragmatic and democratic. As articulated in *N.P. Ponnuswami v. Returning Officer* (1952) and reaffirmed in *Meghraj Kothari*, allowing judicial interference in delimitation orders would enable any disgruntled voter to indefinitely stall the democratic process by dragging constituency boundaries from court to court. The democratic necessity of holding timely elections overrides the individual grievance of territorial apportionment, enforcing a strict “hands-off” doctrine once the delimitation orders are published. This doctrinal stance was strictly maintained in subsequent decades, notably reiterated in *Association of Residents of Mhow (ROM) v. Delimitation Commission* (2009), where the Court upheld that objections and suggestions must be resolved exclusively by the Commission prior to final publication, after which the orders operate in the same sphere as parliamentary legislation.

However, the rigid orthodoxy of absolute non-justiciability has increasingly collided with the evolving jurisprudence of the “basic structure” doctrine, under which judicial review cannot be completely obliterated. Recent constitutional developments indicate a nuanced paradigm shift, demonstrating that the judiciary will not remain a mute spectator if delimitation exercises blatantly transgress constitutional values. In the recent three-judge bench decision in *Kishorchandra Chhanganlal Rathod v. Union of India* (2024), the Supreme Court substantially recalibrated the boundaries of Article 329(a). The Court explicitly disapproved of the High Court’s view that delimitation orders are “entirely unsusceptible to the powers of judicial review exercisable under Article 226 of the Constitution”.

The Supreme Court in *Kishorchandra* clarified that while Article 329 restricts judicial scrutiny, it cannot be construed as a blanket prohibition that completely strips citizens of a forum to plead their grievances. Permitting an absolute bar would leave citizens solely at the mercy of the Delimitation Commission, violating the separation of powers and the constitutional duty of the courts. Crucially, the Court distinguished *Meghraj Kothari*, noting that the hands-off approach was specifically designed to prevent the indefinite delay of imminent elections, not to protect unconstitutional actions. Thus, if a delimitation order is found to be “manifestly arbitrary and irreconcilable to the constitutional values,” or suffers from *mala fide*, constitutional courts retain the jurisdiction to intervene and grant appropriate remedies.

This progressive judicial approach aligns with the jurisprudence emerging from local body elections. In *Dravida Munnetra Kazhagam v. State of T.N.* (2020), the Supreme Court intervened to mandate that elections could not proceed in newly formed districts until a fresh delimitation exercise was lawfully completed, emphasizing that the constitutional object of representation cannot be effectively achieved without proper delimitation. Similarly, in *State of Goa v. Fouziya Imtiaz Shaikh* (2021), the Court acknowledged the Article 243ZG(a) bar (*pari materia* to Article 329(a)) but recognized that writ courts might intervene if the assistance of the court sub-serves the progress of the election or if the authority acts in blatant breach of the constitutional mandate.

The implication of these recent precedents for the post-2026 delimitation is profound. The Delimitation Bill, 2026, seeks to redraw the entire political map based on the 2011 census, triggering immense federal anxieties regarding representational loss for Southern states. If the Delimitation Commission’s final orders under the new Act are perceived as mathematically arbitrary, or if they structurally disenfranchise specific demographic or federal units in a manner that fractures the basic structure of the Constitution, the protective shield of Article 329(a) may no longer guarantee absolute immunity. The evolving constitutional doctrine suggests that while routine boundary disputes will remain strictly barred, macro-level constitutional deviations in the post-2026 delimitation will remain subject to the ultimate safeguard of judicial review.

Post-2026 Challenges and Possible Constitutional Models

The expiration of the constitutional freeze on electoral boundaries post-2026 introduces a crucible of political destabilization. Unmitigated, population-based reapportionment threatens to create an acute representational imbalance, transferring decisive legislative hegemony to demographically expanding Northern States while permanently marginalizing Southern units. This demographic determinism risks institutionalizing a unique form of geographic gerrymandering wherein the federal compact is distorted not by the partisan drawing of boundaries, but by a structural penalty imposed on States that successfully executed national family planning directives.

The volatility of this transition is profoundly complicated by the constitutional linkage between delimitation and gender justice. The Constitution (One Hundred and Sixth Amendment) Act, 2023, which guarantees thirty-three percent reservation for women in the Lok Sabha and State Legislative Assemblies, explicitly made its implementation contingent upon the conduct of a post-2026 delimitation exercise. While the political consensus on women's reservation is robust, inextricably tethering it to the deeply contentious federal issue of inter-state reapportionment weaponizes a progressive democratic reform. The recent collapse of the Constitution (One Hundred and Thirty-First Amendment) Bill, 2026, which sought to expand the Lok Sabha and implement this combined agenda on the basis of the 2011 census, starkly demonstrates the fragility of this linkage and the immediate risk of legislative paralysis.

One predominant model proposed to mitigate these federal anxieties is the radical expansion of the Lok Sabha. The defeated 131st Amendment Bill envisaged increasing the maximum strength of the House from 550 to 850 seats. The underlying rationale is that an enlarged lower chamber would ensure that Southern States do not suffer an absolute reduction in their existing parliamentary footprint, even as populous Northern States gain new seats. However, this model suffers from critical constitutional infirmities. While absolute seat numbers might be preserved, the relative political weight and voting power of demographically stable States would precipitously decline, altering the fundamental balance of power.

Furthermore, expanding the Lok Sabha structurally diminishes the constitutional role of the Rajya Sabha. If the Lok Sabha is expanded to over 800 seats while the Rajya Sabha remains capped at 250, the numerical ratio between the two Houses would skew drastically from the current 2.2:1 to approximately 3.3:1. This mathematical imbalance would effectively marginalize the Upper House in any joint sitting convened under Article 108, as the government's majority in the Lok Sabha could unilaterally override the collective voice of the Council of States. Additionally, it would dilute the relative value of State Assembly votes in Presidential elections, severely eroding the bicameral federal balance envisaged by the framers.

To circumvent these destabilizing effects, constitutional theory must explore innovative models such as capped redistribution combined with aggressive intra-state rationalization. This approach would essentially freeze the macro-allocation of inter-state seats thereby preserving the federal equilibrium while mandating the Delimitation Commission to meticulously redraw internal territorial constituencies based on the latest census. This ensures strict intra-state adherence to the "one person, one vote" principle, correcting internal malapportionment without rupturing the Union's federal architecture. Where absolute demographic shifts cannot be ignored, a system of weighted representation or a strict cap on the maximum seats any single demographic bloc can hold could prevent the emergence of an unassailable supermajority capable of unilaterally amending the Constitution.

Comparative constitutional practice offers vital insights into resolving this democratic-federal tension. In federations like the United States, the House of Representatives is apportioned by population, but the Senate operates on the principle of strict sovereign equality, with every state guaranteed two senators regardless of its demographic size. This mechanism ensures that smaller states cannot be legislatively overwhelmed by populous ones. In contrast, India's Rajya Sabha allocates seats based on population, albeit with a slight weightage for smaller States, meaning populous States dominate both chambers.

A politically realistic and durable post-2026 model must therefore contemplate structural reforms to the Rajya Sabha, moving towards genuine “legislative federalism”. Transitioning towards equal representation for all States in the Upper House would provide a vital constitutional veto. By ensuring that the legislative hegemony achieved by populous States in the Lok Sabha is robustly counterbalanced by an empowered, federally equitable Council of States, India can insulate its cooperative federalism from the shocks of demographic asymmetry. Ultimately, post-2026 political representation requires a negotiated constitutional settlement that decouples electoral dominance from unchecked population growth, ensuring that representational equality does not become the very instrument that unravels the federal republic.

Conclusion and Recommendations

The impending post-2026 delimitation encapsulates the deepest constitutional tension within India's representative democracy: the collision between formal democratic equality the doctrine of “one person, one vote” and substantive federal equity. The constitutional stasis established by the Forty-Second and Eighty-Fourth Amendments successfully, albeit temporarily, deferred this collision, preserving a vital “constitutional trust” among States that adhered to national population stabilization directives. However, as this freeze expires, a rigid, unmitigated adherence to mathematical apportionment threatens to structurally marginalize the Southern and North-Eastern States, thereby rupturing the collaborative federal architecture envisioned by the constitutional framers. The Supreme Court has unequivocally affirmed that both democracy and federalism are inseparable, essential features of the Constitution's basic structure. Therefore, a zero-sum resolution that champions absolute demographic proportionality at the complete expense of federal parity is constitutionally untenable.

The future of India's parliamentary democracy hinges on reconciling these competing imperatives. Representation in the Lok Sabha is not merely an administrative exercise in territorial cartography; it is the primary instrument of national integration and democratic legitimacy. The recent defeat of the Constitution (One Hundred and Thirty-First Amendment) Bill, 2026, which sought to expand the Lok Sabha to 850 seats but collapsed over regional anxieties regarding Northern political hegemony, starkly illustrates the extreme volatility of the current federal consensus. If the post-2026 restructuring proceeds without a renegotiated federal compact, it risks transforming the lower chamber into a majoritarian instrument that systematically disenfranchises demographically stable regions, thereby breeding profound alienation and corroding the legitimacy of the legislative organ.

Resolving this existential impasse demands the highest degree of “constitutional statesmanship” and a commitment to “pragmatic federalism,” concepts the Supreme Court has repeatedly underscored as indispensable for collaborative governance. Constitutional morality dictates that the Union and State Governments must engage in rigorous dialogue and negotiation to iron out differences, avoiding majoritarian actions that override regional autonomy. The delimitation exercise must transcend partisan calculations and immediate electoral dividends. A genuine, broad-based political consensus must be forged one that honors the historical assurance that no constituent unit will suffer electoral diminishment as a penalty for its developmental success.

Rooted in constitutional realism, this article recommends a bifurcated and structurally innovative approach to the post-2026 political restructuring. First, intra-state delimitation must proceed rigorously based on the latest available census data to eradicate internal malapportionment and uphold electoral equality at the micro-level. Second, at the macro-federal level, any expansion of the Lok Sabha must be tempered by constitutional safeguards. A model of capped redistribution should be adopted, ensuring that while growing States receive additional representation, demographically stable States do not suffer any absolute reduction in their existing parliamentary footprint.

Furthermore, to counterbalance the inevitable demographic weight of populous States in the Lok Sabha, the Rajya Sabha must be constitutionally reimagined. Transitioning the Council of States toward a model of equal or heavily weighted representation for all States, irrespective of population size, would provide a critical institutional veto for smaller and Southern States. This would restore the “federal balance,” ensuring that the Union does not usurp the voice of its constituent units.

Ultimately, the post-2026 delimitation must be recognized not as a routine procedural mandate, but as a profound constitutional moment. It requires an institutional architecture that harmonizes the democratic right of the individual voter with the federal rights of the States, ensuring that the pursuit of representational equality does not inadvertently fracture the sovereign unity of the Indian Republic.

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