Bill No. 22 of 2008

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 2008

A

BILL

further to amend the Representation of the People Act, 1950.

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

Short title and commencement.

1. (*1*) This Act may be called the Representation of the People (Amendment) Act, 2008.

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

Amendment of section 4.

43 of 1950.

2. In section 4 of the Representation of the People Act, 1950 (hereinafter referred to as the principal Act), for sub-section (*5*), the following sub-section shall be substituted, namely:—

"(*5*) Save as provided in sub-section (*4*), the extent of all parliamentary constituencies except the parliamentary constituencies in the States of Arunachal Pradesh, Assam, Jharkhand, Manipur and Nagaland shall be as determined by the orders of the Delimitation Commission made under the provisions of the Delimitation Act, 2002 and the extent of the parliamentary constituencies in the States of Arunachal Pradesh, Assam, Jharkhand, Manipur and Nagaland shall be as provided for in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 having regard to the provisions of sections 10A and 10B of the Delimitation Act, 2002.".

33 of 2002.

Amendment of section 7.

3. In section 7 of the principal Act,—

(*i*) in sub-section (*IB*), in clause (*a*), for the words "thirty-nine seats", the words "fifty-nine seats" shall be substituted;

(*ii*) for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) The extent of each assembly constituency in all the States and Union territories except the assembly constituencies in the States of Arunachal Pradesh, Assam, Jharkhand, Manipur and Nagaland shall be as determined by the orders of the Delimitation Commission made under the provisions of the Delimitation Act, 2002 and the extent of each assembly constituency in the States of Arunachal Pradesh, Assam, Jharkhand, Manipur and Nagaland shall be as provided for in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 having regard to the provisions of sections 10A and 10B of the Delimitation Act, 2002.". 33 of 2002.

Amendment of section 8.

4. In section 8 of the principal Act,—

(*i*) for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) Having regard to all the orders referred to in sub-section (*5*) of section 4 and sub-section (*3*) of section 7 relating to the delimination of parliamentary and assembly constituencies in all States and Union territories, except the State of Arunachal Pradesh, Assam, Jharkhand, Manipur and Nagaland, made by the Delimitation Commission and published in the Official Gazette, the Election Commission shall—

(*a*) after making such amendments as appear to it to be necessary for bringing up-to-date the description of the extent of the parliamentary and assembly constituencies as given in such orders, without, however, altering the extent of any such constituency;

(*b*) after taking into account the provisions of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, as made applicable pursuant to the orders made by the President under section 10A of the Delimitation Act, 2002 relating to delimitation of parliamentary and assembly constituencies in the States of Arunachal Pradesh, Assam, Manipur and Nagaland, and the provisions of section 10B of the said Act relating to delimitation of parliamentary and assembly constituencies in the State of Jharkhand, 33 of 2002.

consolidate all such orders into one single order to be known as the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 and shall send authentic copies of that Order to the Central Government and to the Government of each State having a Legislative Assembly; and thereupon that Order shall supersede all the orders referred to in sub-section (*5*) of section 4 and sub-section (*3*) of section 7 and shall have the force of law and shall not be called in question in any court.";

(*ii*) in sub-section (*3*), for the words, brackets and figures "as provided in sub-section (*5*) of section 10 of the Delimitation Act, 1972", the words, brackets and figures "as provided in sub-section (*5*) of section 10 of the Delimitation Act, 2002" shall be substituted. 76 of 1972. 33 of 2002.

Insertion of new section 8A.

5. After section 8 of the principal Act, the following section shall be inserted, namely:—

Delimitation of Parliamentary and Assembly Constituencies in the States of Arunachal Pradesh, Assam, Manipur and Nagaland.

"8A. (*1*) If the President is satisfied that the situation and the conditions prevailing in the States of Arunachal Pradesh, Assam, Manipur and Nagaland are conducive for the conduct of delimitation exercise, he may, by order, rescind the deferment order issued under the provisions of section 10A of the Delimitation Act, 2002 in relation to that State, and provide for the conduct of delimitation exercise in the State by the Election Commission. 33 of 2002.

(*2*) As soon as may be after the deferment order in respect of a State is rescinded under sub-section (*1*), the Election Commission may, by order, determine—

(*a*) the parliamentary constituencies into which such State to which more than one seat is allotted in the First Schedule shall be divided;

(*b*) the extent of each constituency; and

(*c*) the number of seats, if any, reserved for the Scheduled Castes or the Scheduled Tribes.

(*3*) As soon as may be after the deferment order in respect of a State is rescinded under sub-section (*1*), the Election Commission may, by order, determine—

(*a*) the assembly constituencies into which such State shall be divided for the purpose of elections to the Legislative Assembly of that State;

(*b*) the extent of each constituency; and

(*c*) the number of seats, if any, reserved for the Scheduled Castes or the Scheduled Tribes.

(*4*) Subject to the provisions of sub-section (*1*), the Election Commission shall, having regard to the provisions of the Constitution and the principles specified in clauses (*c*) and (*d*) of sub-section (*1*) of section 9 of the Delimitation Act, 2002 determine the parliamentary and assembly constituencies in the States of Arunachal Pradesh, Assam, Manipur and Nagaland in which seats shall be reserved, if any, for the Scheduled Castes and the Scheduled Tribes.

33 of 2002.

(*5*) The Election Commission shall,—

(*a*) publish its proposals under sub-sections (*2*), (*3*) and (*4*) with respect to any State in the Official Gazette and also in such other manner as it thinks fit;

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

(*c*) consider all objections and suggestions which may have been received by it before the date so specified;

(*d*) hold, for the purpose of such consideration, if it thinks fit so to do, one or more public sittings at such place or places in such State as it thinks fit;

(*e*) after considering all objections and suggestions which may have been received by it before the date so specified, determine, by order, the delimitation of parliamentary and assembly constituencies in the State and also the constituency or constituencies in which seats shall be reserved, if any, for the Scheduled Castes and the Scheduled Tribes and cause such order to be published in the Official Gazette; and, upon such publication, the order shall have the force of law and shall not be called in question in any court and the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 shall be deemed to have been amended accordingly.

(*6*) Every order made under sub-sections (*1*) and (*2*) and clause (*e*) of sub-section (*5*) shall be laid before each House of Parliament.

(*7*) Every order made under sub-sections (*1*) and (*3*) and clause (*e*) of sub-section (*5*) shall, as soon as may be after it is published under that sub-section, be laid before the Legislative Assembly of the State concerned.

Amendment of section 9.

6. In section 9 of the principal Act, in sub-section (*1*), for clauses (*a*) and (*aa*), the following clauses shall be substituted, namely:—

"(*a*) correct any printing mistake in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 or any error arising therein from inadvertent slip or omission;

(*aa*) make such amendments in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 as appear to it to be necessary or expedient for consolidating with that Order any notification or order relating to delimitation of Parliamentary or assembly constituencies (including reservation of seats for the Scheduled Castes or the Scheduled Tribes in such constituencies) issued under section 8A of this Act or any other Central Act;".

Omission of sections 9A and 9B.

7. Section 9A and section 9B of the principal Act shall be omitted.

Substitution of new Schedules for the First Schedule and the Second Schedule.

8. For the First Schedule and the Second Schedule of the principal Act, the following Schedules shall be substituted, namely:—

"THE FIRST SCHEDULE

(*See* section 3)

Allocation of seats in the House of the People

Name of the State/Union territory	Number of seats in the House as constituted in 2004 on the basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 as amended from time to time			Number of seats in the House as subsequently constituted as per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
Sl. No.	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
	I. STATES:					
1.	Andhra Pradesh	42	6	2	42	7	3
2.	Arunachal Pradesh	2	..	..	2	..	..
3.	Assam	14	1	2	14	1	2
4.	Bihar	40	7	..	40	6	..
5.	Chhattisgarh	11	2	4	11	1	4
6.	Goa	2	..	..	2	..	..
7.	Gujarat	26	2	4	26	2	4
8.	Haryana	10	2	..	10	2	..
9.	Himachal Pradesh	4	1	..	4	1	..
10.	Jammu and Kashmir	6	..	..	6	..	..
11.	Jharkhand	14	1	5	14	1	5
12.	Karnataka	28	4	..	28	5	2
13.	Kerala	20	2	..	20	2	..
14.	Madhya Pradesh	29	4	5	29	4	6
15.	Maharashtra	48	3	4	48	5	4
16.	Manipur	2	..	1	2	..	1
17.	Meghalaya	2	..	..	2	..	2
18.	Mizoram	1	..	1	1	..	1
19.	Nagaland	1	..	..	1	..	..
20.	Orissa	21	3	5	21	3	5
21.	Punjab	13	3	..	13	4	..
22.	Rajasthan	25	4	3	25	4	3
23.	Sikkim	1	..	..	1	..	..
24.	Tamil Nadu	39	7	..	39	7	..
25.	Tripura	2	..	1	2	..	1
26.	Uttarakhand	5	..	..	5	1	..
27.	Uttar Pradesh	80	18	..	80	17	..
28.	West Bengal	42	8	2	42	10	2

	1	2	3	4	5	6	7
	II. UNION TERRITORIES:						
1.	Andaman and Nicobar Islands	1	..	..	1	..	..
2.	Chandigarh	1	..	..	1	..	..
3.	Dadra and Nagar Haveli	1	..	1	1	..	1
4.	Delhi	7	1	..	7	1	..
5.	Daman and Diu	1	..	..	1	..	..
6.	Lakshadweep	1	..	1	1	..	1
7.	Puducherry	1	..	..	1	..	..
	Total						

THE SECOND SCHEDULE

(*See* section 7 and 7A)

Total number of seats in the Legislative Assemblies

Name of the State/ Union territory	Number of seats in the House as constituted on the basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 as amended from time to time			Number of seats in the House as subsequently constituted as per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
I. STATES:						
1. Andhra Pradesh	294	39	15	294	48	19
2. Arunachal Pradesh	60	..	59	60	..	59
3. Assam	126	8	16	126	8	16
4. Bihar	243	39	..	243	38	2
5. Chhattisgarh	90	10	34	90	10	29
6. Goa	40	1	..	40	1	..
7. Gujarat	182	13	26	182	13	27
8. Haryana	90	17	..	90	17	..
9. Himachal Pradesh	68	16	3	68	17	3
10. Jammu and Kashmir*	76	6	..	..	..	..
11. Jharkhand	81	9	28	81	9	28
12. Karnataka	224	33	2	224	36	15
13. Kerala	140	13	1	140	14	2
14. Madhya Pradesh	230	34	41	230	35	47
15. Maharashtra	288	18	22	288	29	25
16. Manipur	60	1	19	60	1	19
17. Meghalaya	60	..	55	60	..	55
18. Mizoram	40	..	39	40	..	38
19. Nagaland	60	..	59	60	..	59
20. Orissa	147	22	34	147	24	33
21. Punjab	117	29	..	117	34	..
22. Rajasthan	200	33	24	200	34	25
23. Sikkim	32	2	12**	32	2	12**
24. Tamil Nadu	234	42	3	234	44	2
25. Tripura	60	7	20	60	10	20
26. Uttarakhand	70	12	3	70	13	2
27. Uttar Pradesh	403	89	..	403	85	..
28. West Bengal	294	59	17	294	68	16
II. UNION TERRITORIES:						
1. Delhi	70	13	..	70	12	..
2. Puducherry	30	5	..	30	5	..

*Under the Constitution of Jammu and Kashmir, the number of seats in the Legislative Assembly of that State excluding the 24 seats earmarked for Pakistan occupied territory is 87 out of which 7 seats have been reserved for the Scheduled Castes in pursuance of the Jammu and Kashmir Representation of the People Act, 1957.

**Reserved 1 seat for Sanghas and 12 seats for the Sikkimese of Bhutia Lepcha origin.

STATEMENT OF OBJECTS AND REASONS

Under the provisions of articles 82 and 170(3) of the Constitution, as amended by the Constitution (Eighty-fourth Amendment) Act, 2001, Parliament enacted the Delimitation Act, 2002. In terms of the provisions contained in the Delimitation Act, the Delimitation Commission was set up to readjust the division of each State and Union territory into territorial constituencies for the purpose of elections to the House of the People and to the State Legislative Assemblies on the basis of 2001 Census.

2. The Delimitation Commission has since completed the delimitation work in respect of 25 States/Union territories and accordingly issued final orders under sections 8 and 9 of the Delimitation Act. Recently, the Delimitation (Amendment) Ordinance, 2008 (Ordinance 1 of 2008) was promulgated on 14th January, 2008 to insert new sections 10A and 10B in the Delimitation Act. Section 10A of the Delimitation Act empowers the President to defer delimitation exercise in a State in certain cases. In view of the prevailing conditions in North-East States of Arunachal Pradesh, Assam, Manipur and Nagaland, four orders to defer the delimitation exercise in these States have been issued by the President on 8th February, 2008. Section 10B of the Delimitation Act has nullified the Delimitation Commission's orders issued with respect to the States of Jharkhand.

3. In view of above, in the States of Arunachal Pradesh, Assam, Manipur, Nagaland and Jharkhand, the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 will continue to apply. The final orders in respect of the remaining 24 States/Union territories (except the State of Jharkhand) were required to be brought into force as provided in the second proviso to article 82 and the second proviso to clause (3) of article 170 of the Constitution by specifying the date by the President, as to when the re-adjustments shall take effect. In pursuance of the above provisions, the Presidential Order has been issued on 19th February, 2008 making delimitation orders issued by the Delimitation Commission under the Delimitation Act, effective from immediate effect in all the 22 States/Union territories except in the States of Tripura and Meghalaya in which case, the delimitation order shall take effect from 20th March, 2008 after the elections to the Legislative Assemblies in these States are over on 19th March, 2008.

4. The Representation of the People Act, 1950 (43 of 1950) (the RP Act) provides for the allocation of seats in and the delimitation of constituencies for the purpose of election to, the House of the People and the Legislatures of the States, preparation of electoral rolls, etc., and for matters connected therewith. The First Schedule and the Second Schedule to the said Act provides for allocation of seats in the House of the People and the total number of seats in the Legislative Assemblies alongwith the number of seats reserved for the Scheduled Castes and the Scheduled Tribes therein. With the issuance of the Presidential Order specifying the date on which the delimitation orders notified by the Delimitation Commission shall take effect, it is necessary to amend the relevant provisions and the First and the Second Schedule of the RP Act to reflect the changes made by the delimitation orders notified by the Delimitation Commission.

5. In the Bill, it is also proposed to insert new section 8A in the RP Act, which will enable the Election Commission to conduct delimitation exercise in the North-East States (where delimitation exercise had been deferred in the exigencies of the prevailing conditions), as soon as the conditions in these States become conducive to the conduct of delimitation work. Sections 8 and 9 of the RP Act are proposed to be amended to enable the Election Commission to consolidate the delimitation orders issued by the Delimitation Commission into a single Order by superceding the existing Delimitation of Parliamentary and Assembly Constituencies Order, 1976 having regard to sections 10A and 10B of the Delimitation Act, 2002.

6. The Bill seeks to achieve the above said objectives.

HANS RAJ BHARDWAJ

NEW DELHI;
The 28*th February,* 2008.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 (i) of the Bill provides for substitution of sub-section (1) of section 8 of the Representation of the People Act, 1950 which empowers the Election Commission to consolidate all orders relating to delimitation of parliamentary and assembly constituencies into one single order to be known as the Delimitation of Parliamentary and Assembly Constituencies Order, 2008, and to maintain them up-to-date.

2. Caluse 5 of the Bill provides for insertion of new section 8A in the said Act. Sub-section (1) of section 8 A empowers the Central Government to assess the situation in the North-East States, namely, Arunachal Pradesh, Assam, Manipur and Nagaland as to whether the conditions prevailing there are conducive for the conduct of delimitation exercise and enable the Government to take follow-up action, if necessary, by advising the President to rescind the deferment orders issued in respect of such States. Section 8A further empowers the Election Commission to undertake the delimitation exercise in the States where it was deferred, once the deferment order is rescinded by the President.

3. Clause 6 of the Bill provides for substitution of clauses (a) and (aa) of sub-section (1) of section 9 which empowers the Election Commission to make correction of any error of printing mistake in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 or make such amendments which appear it to be necessary or expedient for consolidating with the delimitation orders and notifications.

4. The orders made under the Bill is also required to be laid before each House of Parliament. The delegation of legislative powers is, therefore, of a normal character.

ANNEXURE

Extracts from the Representation of the People Act, 1950

(43 of 1950)

* * * * *

Filling of seats in the House of the People and parliamentary constituencies.

4. *(1)* * * * *

(5) Save as provided in sub-section (*4*), the extent of all parliamentary constituencies except the parliamentary constituencies in the Union territory of Arunachal Pradesh shall be as determined by the orders of the Delimitation Commission made under the provisions of the Delimitation Act, 1972 and the extent of the parliamentary constituencies in the Union territory of Arunachal Pradesh shall be as determined by the order of the Election Commission under the provisions of the Government of Union Territories Act. 1963. 76 of 1972. 20 of 1963.

* * * * *

Total number of seats in legislative Assemblies and assembly constituencies.

7. (*1*) * * * *

(*1B*) Notwithstanding anything contained in sub-section (*1*), in the Legislative Assemblies of the States of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland, to be constituted at any time after the commencement of Representation of the People (Third Amendment) Act, 1987 (40 of 1987),—

(*a*) thirty-nine seats shall be reserved for the Scheduled Tribes in the Legislative Assembly of the State of Arunachal Pradesh;

* * * * *

(*3*) The extent of each assemly constituency in all the States and Union territories except the assembly constituencies in the State of Sikkim and in the Union territory of Arunachal Pradesh shall be as determined by the orders of the Delimitation Commission made under the provisions of the Delimitation Act, 1972 the extent of each assembly constituency in the State of Sikkim shall be as provided for in the Delimination of Parliamentary and Assembly Constituencies Order, 1976, as amended by section 4 of the Representation of the People (Amendment) Act, 1980 and the extent of each assemly constituency in the Union territory of Arunachal Pradesh shall be as determined by the order of the Election Commission made under the provisions of the Government of Union Territories Act, 1963. 76 of 1972. 8 of 1980. 20 of 1963.

* * * * *

Consolidation of delimitation orders.

8. (*1*) As soon as may be, after all the orders referred to in sub-section (*5*) of section 4 or in sub-section (*3*) of section 7 relating to the delimitation of parliamentary and assembly constituencies have been made by the Delimitation commission or, as the case may be, the Election Commission and published the Official Gazette, the Election Commission shall, after making such amendments as appear to it to be necessary for bringing up-to-date the description of the extent of the parliamentary and assembly constituencies as given in such orders, consolidate all such orders into one single order to be known as [1][The Delimitation of Parliamentary and Assembly Constituencies Order, 1976] and shall send authentic copies of that Order to the Central Government and to the Government of each State having a Legislative Assembly; and thereupon that Order shall supersede all the orders referred to in sub-section (*5*) of section 4 or in sub-section (*3*) of section 7 and shall have the force of law and shall not be called in question in any court.

* * * * *

(*3*) The consolidation under sub-section (*1*) of the orders referred to in sub-section *(5)* of section 4, or as the case may be, sub-section (*3*) of section 7 shall not, as provided in sub-section (*5*) of section 10 of the Delimitation Act, 1972, affect the representation in, and the territorial constituencies of, the House of the People or the Legislative Assembly of the State existing on the date of publication in the Gazette of India of any such order or orders as may be relevant. 76 of 1972.

Power of Election Commission to maintain Delimitation Order up-to-date.

9. (*1*) The Election Commission may from time to time, by notification published in the Gazette of India and in the Official Gazette of the State concerned,—

(*a*) correct any printing mistake in the Delimitation of Parliamentary and Assembly Constituencies Order, 1966, or, as the case may be, the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 or any error arising therein from inadvertent slip or omission;

(*aa*) make such amendments in the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 as appear to it to be necessary or expedient for consolidating with that Order any notification or order relating to delimitation of parliamentary or assembly constituencies (including reservation of seats for the Scheduled Castes or the Scheduled Tribes in such constituencies) issued under any Central Act;

* * * * *

Power of Election Commission to determine the constituencies to be reserved for Scheduled Tribes in certain States.

9A. (*1*) As soon as may be after the coming into force of the Representation of the People (Second Amendment) Act, 1987, the Election Commission shall, having regard to the provisions of the Constitution and the principle specified in clause (*d*) of sub-section (*1*) of section 9 of the Delimitation Act, 1972, determine the assembly constituencies in the States of Meghalaya, Mizoram and Nagaland in which seats shall be reserved for the Scheduled Tribes.

38 of 1987.

76 of 1972.

(*2*) The Election Commission shall,—

(*a*) publish its proposals under sub-section (*1*) with respect to any State in the Official Gazette and also in such other manner as it thinks fit;

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

(*c*) consider all objections and suggestions which may have been received by it before the date so specified;

(*d*) hold, for the purpose of such consideration, if it thinks fit so to do, one or more public sittings at such place or places in such State as it thinks fit;

(*e*) after considering all objections and suggestions which may have been received by it before the date so specified, determine, by order, the assembly constituency or constituencies in the State in which seats shall be reserved for the Scheduled Tribes and cause such order to be published in the Official Gazette; and, upon such publication, the order shall have the full force of law and shall not be called in question in any court and the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, or, as the case may be, the Mizoram (Delimitation of Assembly Constituencies) Order, 1986 shall be deemed to have been amended accordingly.

(*3*) Every order made under sub-section (*2*) shall, as soon as may be after it is published under that sub-section, be laid before the Legislative Assembly of the State concerned.

Explanation.—For the purposes of this section "assembly constituency" means,—

(*a*) in relation to the States of Meghalaya and Nagaland, the assembly constituencies in those States as specified in the Delimitation of Parliamentary and Assembly Constituencies Order, 1976; and

(*b*) in relation to the State of Mizoram, the assembly constituencies as specified in the Mizoram (Delimitation of Assembly Constituencies) Order, 1986.

Power of election commission to determine certain constituencies to be reserved for Scheduled Tribes in the State of Tripura.

9B. (*1*) As soon as may be after the coming into force of the Representation of the People (Amendment) Act, 1992, the Election Commission shall, having regard to the provisions of the Constitution and the principle specified in clause (*d*) of sub-section (*1*) of section 9 of the Delimitation Act, 1972, determine the three assembly constituencies in the State of Tripura in which the three additional seats for Scheduled Tribes, as increased by sub-section (*1C*) of section 7, shall be reserved. 38 of 1992. 76 of 1972.

(*2*) The Election Commission shall,—

(*a*) publish its proposals under sub-section (*1*) in the Official Gazette and also in such other manner as it thinks fit;

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

(*c*) consider all objections and suggestions which may have been received by it before the date so specified;

(*d*) hold, for the purpose of such consideration, if it thinks fit so to do, one or more public sittings at such place or places in the State as it thinks fit;

(*e*) after considering all objections and suggestions which may have been received by it before the date so specified determine, by order, the three assembly constituencies in the State in which the said three additional seats shall be reserved for the Scheduled Tribes and cause such order to be published in the Official Gazette; and, upon such publication, the order shall have the full force of law and shall not be called in qustion in any court and the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, shall be deemed to have been amended accordingly.

(*3*) Every order made under sub-section (*2*) shall, as soon as may be after it is published under that sub-section, be laid before the Legislative Assembly of the State of Tripura.

THE FIRST SCHEDULE

(*See* section 3)

Allocation of Seats in the House of the People

Name of the State/ Union territory	Number of seats in the House as constituted on 1-1-1973			Number of seats in the House as subsequently constituted		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
	I. *STATES:*					
1. Andhra Pradesh	41	6	2	42	6	2
2. Arunachal Pradesh	1	..	1	2	..	..
3. Assam	14	1	2	14	1	2
4. Bihar	53	7	5	40	7	..
5. Chhattisgarh	..	..	..	11	6	..
6. Goa	..	..	..	2	..	..
7. Gujarat	24	2	3	26	2	4
8. Haryana	9	2	..	10	2	4
9. Himachal Pradesh	4	1	..	4	1	..
10. Jharkhand	..	..	..	6	..	..
11. Jammu & Kashmir	6	..	..	6	..	..
12. Karnataka	27	4	..	28	4	..
13. Kerala	19	2	..	20	2	..
14. Madhya Pradesh	37	5	8	29	6	..
15. Maharashtra	45	3	3	48	3	4
16. Manipur	2	..	1	2	..	1
17. Meghalaya	2	..	2	2	..	..
18. Mizoram	1	..	1	1	..	1
19. Nagaland	1	..	..	1	..	..
20. Orissa	20	3	5	21	3	5
21. Punjab	13	3	..	13	3	5
22. Rajasthan	23	4	3	25	4	3
23. Sikkim	..	..	..	1	..	..
24. Tamil Nadu	39	7	..	39	7	..
25. Tripura	2	..	1	2	..	1
26. Uttarakhand	..	..	..	5	..	..
27. Uttar Pradesh	85	18	..	80	18	..
28 West Bengal	40	8	2	42	8	2
	II. *UNION TERRITORIES:*					
1. Andaman and Nicobar Islands	1	..	..	1	..	..
2. Chandigarh	1	..	..	1	..	..
3. Dadra and Nagar Haveli	1	..	1	1	..	..
4. Delhi	7	1	..	7	1	1
5. Daman and Diu	1	..	..	1	..	..
6. Lakshadweep	1	..	1	1	..	1
7. Puducherry	1	..	..	1	..	..
Total	522	77	41	543	79	41

THE SECOND SCHEDULE

(*See* section 7 and 7A)

Total number of Seats in the Legislative Assemblies

Name of the State/ Union territory	Number of seats in the Legislative Assembly as constituted on 1-1-1973			Number of seats in the Legislative Assembly as subsequently constituted		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4	5	6	7
I. *STATES:*						
1. Andhra Pradesh	287	40	11	294	39	15
2. Arunachal Pradesh	..	..	..	60	..	59
3. Assam	114	8	10	126	8	16
4. Bihar	318	45	29	243	39	..
5. Chhattisgarh	..	..	..	..	..	90
6. Goa	30	..	..	40	1	..
7. Gujarat	168	11	22	182	13	26
8. Haryana	81	15	..	90	17	..
9. Himachal Pradesh	68	16	3	68	16	3
10. Jammu and Kashmir	75	6	..	76*	6	..
11. Jharkhand	..	..	..	224	33	2
12. Karnataka	216	29	2	224	33	2
13. Kerala	133	11	2	140	13	1
14. Madhya Pradesh	296	39	61	230	44	75
15. Maharashtra	270	15	16	288	18	22
16. Manipur	60	1	19	60	1	19
17. Meghalaya	60	..	50	60	..	55†*
18. Mizoram	30	..	..	40	..	39
19. Nagaland	52	..	..	60	..	59
20. Orissa	140	22	34	147	22	34
21. Punjab	104	23	..	117	29	..
22. Rajasthan	184	31	21	200	33	24
23. Sikkim	..	..	..	32	2	12**
24. Tamil Nadu	234	42	2	234	42	3
25. Tripura	60	6	19	60	7	17
26. Uttaranchal	..	..	..	..	..	70
27 Uttar Pradesh	425	89	..	403	92	1
28. West Bengal	280	55	16	294	59	17

* Under the Constitution of Jammu and Kashmir, the number of seats in the Legislative Assembly of that State including the 24 seats earmarked for Pakistan occupied territory is 76 out of which 6 seats have been reserved for Scheduled Castes in pursuance of the Jammu and Kashmir Representation of the People Act, 1957.

** Reserved 1 seat for Sanghas and 12 seats for Bhutia Lepcha origin.

†* Now 55 seats, see s. 7 (1B) of this Act as ins. by Act 40 of 1987, s. 2 (w.e.f. 22.9.1987).

LOK SABHA

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BILL

further to amend the Representation of the People Act, 1950.

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(Shri Hans Raj Bhardwaj, Minister of Law and Justice)

MGIPMRND—688LS(S5)—03-03-2008.