
Issues for Consideration:

Delimitation Bills of 2026 [The Constitution (131st Amendment) Bill, 2026, The Delimitation Bill, 2026, and The Union Territories Laws (Amendment) Bill, 2026]

The Constitution provides that seats in Lok Sabha must be allocated to states in proportion to their population.¹ Further, constituencies within each state should have roughly the same population. It requires that constituencies should be redrawn (also called delimited) after each census. Similar provisions apply to the State Assemblies. Through the 42nd Constitutional Amendment in 1976, the total number of seats of each state in Lok Sabha and the total number of seats in State Assemblies was frozen based on the 1971 census. This freeze was initially applicable until the publication of the first census after 2000. The 84th Constitutional Amendment in 2001 extended this freeze until the publication of the first census after 2026. This was done as a motivational measure to enable the state governments to pursue agenda for population stabilisation.²

The 106th Constitutional Amendment in 2023 introduced reservation of one-third of seats for women in Lok Sabha and State Assemblies. This reservation will be based on the first census after the commencement of the 2023 Act. The reference date for the ongoing census is March 1, 2027.³ Considering that the next Lok Sabha elections will be held in 2029, it is unlikely that delimitation exercise based on the 2027 census will be completed before the 2029 elections. This would imply that reservation for women will not apply to the 2029 Lok Sabha election. The last Delimitation Commission was constituted in 2002, and its orders were finalised in 2008.⁴

Three Bills have been introduced in Lok Sabha on April 16, 2026: (i) the Constitution (131st Amendment) Bill, 2026, (ii) the Union Territories Laws (Amendment) Bill, 2026, and (iii) the Delimitation Bill, 2026. These Bills increase the size of Lok Sabha, seek to enable delimitation based on the 2011 census, and enable reservation for women to be based on this delimitation. The Union Territories (UTs) Laws Bill gives effect to similar provisions in cases of Puducherry, Delhi, and Jammu & Kashmir.

Key Features

- **Delimitation to be in proportion to population:** The Constitution Amendment Bill reverts to the principle of each state having seats in proportion to its population. This implies that Lok Sabha Constituencies across all states will have roughly the same population.
- **Parliament to decide the census to be used for delimitation:** The Constitution specifies that delimitation will be carried out after every census, and will be based on that census. The Constitution Amendment Bill authorises Parliament to pass a law to determine when delimitation will be undertaken, and which census will be used. A separate Bill (the Delimitation Bill, 2026) provides that the latest published census as on the date of the constitution of the Delimitation Commission, will be used. This implies that the 2011 census will be used for the next delimitation.
- **Increase in the maximum number of seats in Lok Sabha:** The Constitution provides that Lok Sabha will have a maximum of 550 members with up to 530 members from states, and up to 20 members from union territories. The Constitution Amendment Bill increases the maximum number of members to 850, with up to 815 members from states, and up to 35 members from union territories.
- **Commencement of reservation for women:** The 106th Constitution (Amendment) Act, 2023 introduced reservation of one-third of seats in Lok Sabha and State Assemblies for women. The reservation will come into effect based on the first census after the commencement of the 2023 Act. The Constitution Amendment Bill removes this requirement.
- **Appointment of the Delimitation Commission:** The Delimitation Bill, 2026 empowers the central government to constitute a Delimitation Commission to carry out delimitation. It will comprise: (i) a Chairperson who is or has been a Supreme Court Judge, (ii) the Chief Election Commissioner or an Election Commissioner nominated by the Chief Election Commissioner, and (iii) the State Election Commissioner of the concerned state. The central government will appoint the Chairperson.

Issues to Consider

No constitutional certainty on periodicity of delimitation and use of latest census

131st Constitution Amendment Bill: *Clause 3(b), 4(a), 4(b), 5(b), 5(c)(i)*

Articles 81 and 82 of the Constitution provide that delimitation of seats in Lok Sabha will be undertaken after every census and will be based on the latest census. The Constitution Amendment Bill instead provides that Parliament will decide by law when to carry out delimitation, and which census to use. Parliament could make these decisions with a simple majority. Given that the government will have a simple majority in Lok Sabha, and this Amendment weakens Rajya Sabha's relative control over Bills (see below), the government could have the power to decide the timing of delimitation and which census to use.

Relative share of states in Lok Sabha set to change

131st Constitution Amendment Bill: *Clause 3(b), 4(c), 4(d)*

Delimitation Bill: *Clause 2(e), 2(h)*

The Constitution states that the allocation of seats to states in Lok Sabha will be based on the 1971 census, until the first census after 2026. The Bills remove this provision and allow for the next delimitation to be based on the 2011 census. This change may lead to a significant shift in the share of states in the total seats in Lok Sabha. For example, if Lok Sabha continues to have the current strength, Tamil Nadu's seats will come down from 39 to 32, and Kerala from 20 to 15. Uttar Pradesh will see an increase from 80 to 89, Bihar from 40 to 46, and Rajasthan from 25 to 30. The change in the relative seat share will be maintained even if the total seats in Lok Sabha is increased. See annexure for state-wise details.

Increase in the Size of Lok Sabha

Change in the relative size with Rajya Sabha

131st Constitution Amendment Bill: *Clause 3(a)*

The Constitution Amendment Bill also provides that the maximum number of seats in Lok Sabha will be increased from 550 to 850. Article 80 of the Constitution provides that Rajya Sabha will consist of a maximum of 250 members. The 131st Constitution Amendment Bill leaves this unchanged. This in turn implies that the relative size of Lok Sabha with Rajya Sabha changes. The ratio of seats between Lok Sabha and Rajya Sabha will change from 2.2:1 to 3.3:1, assuming the number of seats in Lok Sabha increases by 50% from 543 to 815. This would reduce the relative share of Rajya Sabha members in the elections of the President and the Vice-President. It also increases powers of Lok Sabha in the event of a joint sitting of the two Houses. For example, even if the opposition has a two-third majority in Rajya Sabha, the government may override this if it has 56% of the seats in Lok Sabha. Article 108 of the Constitution provides for a joint sitting if a Bill passed by one House: (i) is rejected by the other, (ii) is kept pending by the other House for over six months, or (iii) the Houses disagree on amendments.

Increase in the size of the Council of Ministers

Article 75 of the Constitution provides that the total number of Ministers will not exceed 15% of the total number of members of Lok Sabha. If the number of seats in Lok Sabha were to increase by 50%, from 543 to 815, the permissible size of the Council of Ministers of the central government will increase from 81 to 122. This limit was placed through the Constitution (91st Amendment) Act, 2003. The Statement of Objects and Reasons noted that abnormally large councils of Ministers were being constituted by various governments and this practice was needed to be prohibited by law.⁵ This raises the question whether an increase in the size of Lok Sabha requires a proportionate increase in the size of the Council of Ministers. For comparison, in USA, the federal cabinet consists of 22 heads of executive departments and agencies, other than the President and the Vice-President.⁶

Opportunities for MPs to participate in Lok Sabha

A larger Lok Sabha implies that each MP will have less time for making various interventions, including in debates on Bills and major issues. Some interventions such as asking questions and raising matters of public importance are allotted through a ballot. An increase in the number of MPs will reduce the probability of being chosen in the ballot, and therefore, reduce the opportunity for each MP to raise questions and issues.

'Delimitation Commission' not defined

131st Constitution Amendment Bill: *Clause 4(c), 5(c)(ii)*

The Constitution Amendment Bill introduces the term 'Delimitation Commission' to the Constitution but does not define it.

Annexure

Table 1: Projected number of seats based on the 2011 Census

State/UT	2011 Population	Current Seats (as per the 1971 Census)		Projections based on 2011 Census					
		Seats	% Share	Total Seats Unchanged			Seats increase by 50%		
				Projected Seats	Increase (+) /Decrease (-)	% share	Projected Seats	Increase (+) /Decrease (-)	% share
Andaman & Nicobar Islands	3,80,581	1	0.18%	1	0	0.18%	1	0	0.12%
Andhra Pradesh	8,45,80,777	42	7.73%	38	-4	6.93%	56	14	6.89%
Arunachal Pradesh	13,83,727	2	0.37%	2	0	0.36%	2	0	0.25%
Assam	3,12,05,576	14	2.58%	14	0	2.55%	21	7	2.58%
Bihar	10,40,99,452	40	7.37%	46	6	8.39%	69	29	8.49%
Chandigarh	10,55,450	1	0.18%	1	0	0.18%	1	0	0.12%
Chhattisgarh	2,55,45,198	11	2.03%	11	0	2.01%	17	6	2.09%
Dadra & Nagar Haveli	3,43,709	1	0.18%	1	0	0.18%	1	0	0.12%
Daman & Diu	2,43,247	1	0.18%	1	0	0.18%	1	0	0.12%
Goa	14,58,545	2	0.37%	2	0	0.36%	2	0	0.25%
Gujarat	6,04,39,692	26	4.79%	27	1	4.93%	40	14	4.92%
Haryana	2,53,51,462	10	1.84%	11	1	2.01%	17	7	2.09%
Himachal Pradesh	68,64,602	4	0.74%	3	-1	0.55%	5	1	0.62%
Jammu & Kashmir	1,25,41,302	6	1.10%	6	0	1.09%	8	2	0.98%
Jharkhand	3,29,88,134	14	2.58%	15	1	2.74%	22	8	2.71%
Karnataka	6,10,95,297	28	5.16%	27	-1	4.93%	41	13	5.04%
Kerala	3,34,06,061	20	3.68%	15	-5	2.74%	22	2	2.71%
Lakshadweep	64,473	1	0.18%	1	0	0.18%	1	0	0.12%
Madhya Pradesh	7,26,26,809	29	5.34%	32	3	5.84%	48	19	5.90%
Maharashtra	11,23,74,333	48	8.84%	50	2	9.12%	75	27	9.23%
Manipur	28,55,794	2	0.37%	2	0	0.36%	2	0	0.25%
Meghalaya	29,66,889	2	0.37%	2	0	0.36%	2	0	0.25%
Mizoram	10,97,206	1	0.18%	1	0	0.18%	1	0	0.12%
Nagaland	19,78,502	1	0.18%	1	0	0.18%	1	0	0.12%
NCT of Delhi	1,67,87,941	7	1.29%	7	0	1.28%	11	4	1.35%
Odisha	4,19,74,218	21	3.87%	19	-2	3.47%	28	7	3.44%
Puducherry	12,47,953	1	0.18%	1	0	0.18%	1	0	0.12%
Punjab	2,77,43,338	13	2.39%	12	-1	2.19%	19	6	2.34%
Rajasthan	6,85,48,437	25	4.60%	30	5	5.47%	46	21	5.66%
Sikkim	6,10,577	1	0.18%	1	0	0.18%	1	0	0.12%
Tamil Nadu	7,21,47,030	39	7.18%	32	-7	5.84%	48	9	5.90%
Tripura	36,73,917	2	0.37%	2	0	0.36%	2	0	0.25%
Uttar Pradesh	19,98,12,341	80	14.73%	89	9	16.24%	133	53	16.36%
Uttarakhand	1,00,86,292	5	0.92%	4	-1	0.73%	7	2	0.86%
West Bengal	9,12,76,115	42	7.73%	41	-1	7.48%	61	19	7.50%
Total	1,21,08,54,977	543	-	548	-	-	813	-	-

Note: Andhra Pradesh includes Telangana, and Jammu & Kashmir includes Ladakh. We assume that the number of seats for Arunachal Pradesh, Goa, Manipur, and Meghalaya will not be reduced as there is an exception for states with population below 60 lakh. The total projected differs slightly due to rounding off for each state.

Sources: Census Portal; First Schedule, The Representation of the People Act, 1950; PRS.

¹ Article 81, 82, 170, The Constitution of India,

<https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2024/07/20240716890312078.pdf>.

² Statement of Objects and Reasons to the Constitution (84th Amendment) Act, 2001,

<https://bombayhighcourt.nic.in/libweb/misc/coi/constitution/act/BILL/C084Bill.pdf>.

³ “Population Census-2027 to be conducted in two phases along with enumeration of castes”, Press Information Bureau, Ministry of Home Affairs, June 4, 2025, <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2133845®=3&lang=2>.

⁴ S.O. 382(E), Notification dated February 19, 2008 issued by Ministry of Law and Justice, Government of India,

https://egazette.gov.in/WriteReadData/2008/E_250_2010_006.pdf.

⁵ Statement of Objects and Reasons to the Constitution (91st Amendment) Act, 2003,

<https://bombayhighcourt.nic.in/libweb/misc/coi/constitution/act/BILL/C091Bill.pdf>.

⁶ “Cabinet”, Website of the White House, USA, as accessed on April 15, 2026, <https://www.whitehouse.gov/administration/cabinet/>.

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