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Introduction

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Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

DOES POPULATION-BASED REPRESENTATION UNDERMINE FEDERAL EQUALITY IN INDIA? - DELIMITATION, DEMOGRAPHY, AND DEMOCRACY

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Abstract:

The constitutional implications of population-based delimitation in India are examined in this essay, with a focus on how it affects the balance between federal equality and democratic representation. By granting every citizen an equal political voice, the "one person, one vote" principle promotes electoral democracy. However, the federal structure faces significant challenges when it is applied in a context where demographic growth is uneven. The paper argues that, despite being formally consistent with democratic principles, a strictly population-centric model of representation may produce substantively unequal outcomes by marginalising states that have achieved demographic stabilisation and disproportionately increasing the political power of high-growth states. This essay explores the conflict between state and individual equality in light of equality jurisprudence and the basic structure concept. It evaluates critically whether delimitation, as an institutional technique, may unintentionally erode federalism by altering the distribution of political power within the Union. The article also discusses other justifications for population-based representation, such as its fairness and compatibility with popular sovereignty. It also discusses the shortcomings of the Rajya Sabha and other existing institutional safeguards. In response, it offers several reform-oriented alternatives, including strategies to safeguard incentives, a mixed delimitation formula, and strengthening the upper house to improve its function as a federal body. It also considers amending the Constitution to expressly acknowledge federal equality in representation. In the end, the study argues that numerical equality alone cannot define democratic legitimacy in a federal system; instead, a more nuanced approach is necessary to guarantee that the ideals of federalism and democracy are in harmony rather than at odds.

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Key Words: Federalism, Population-based Delimitation, Basic Structure Doctrine, Political Equality

1. Introduction

India is an exceptional parliamentary democracy because the Indian Constitution meticulously balances its federal structure with democratic representation. Dr. B.R. Ambedkar, thoughtfully elaborated parliamentary democracy as:³

“By parliamentary democracy we mean ‘one man, one vote’ We also mean that the government should be on the anvil, both in its daily affairs and also at the end of a certain period when the voters and the electorate will be given an opportunity to assess the work done by the government.”

The concept of "one person, one vote," which ensures that political representation is based on the *actual population demographic*,⁴ has long been used to characterise an electoral democracy. Additionally, the Constitution envisions a form of federalism that attempts to prevent political power from becoming overly concentrated in one region of the Union while simultaneously respecting regional distinctions. These two crucial commitments may conflict with the impending delimitation exercise, particularly with the protracted hiatus on seat redistribution.⁵ The idea of shifting parliamentary seats based on population raises severe concerns about whether equality in numbers will come at the expense of federal balance because population growth has not been uniform everywhere, particularly between the northern and southern states.⁶

By placing delimitation within the broad framework of equality jurisprudence and *the basic structure doctrine*,⁷ this paper seeks to investigate the constitutional implications of this conflict. It evaluates the potential distortion of the constitutional balance and looks into whether a representation model that is solely population-centric is compatible with the federal equality principle. It also looks at the growing North-South divide,⁸ where states that have effectively

³ <https://inc.in/congress-sandesh/comment/elections-are-reflections-democracy-at-the-crossroads>

⁴ Article 81, 82, 170, The Constitution of India,

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

⁵ Statement of Objects and Reasons to the Constitution (84th Amendment) Act, 2001,

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

⁶ Rukmini S; Ageing South, populous north and a migration puzzle along India's fertility faultline; December 29, 2025

<https://scroll.in/article/1088941/ageing-south-populous-north-and-a-migration-puzzle-along-indias-fertility-faultline>

⁷ Gowda, N. S. (2026). *Constitutional basis for basic structure doctrine in India: Effects and applicability*. Manupatra Newslines. <https://docs.manupatra.in/newslines/articles/Upload/4715CF34-CCD9-4E2E-8072-71C0795456BB.pdf>

⁸ S. Irudaya Rajan, J. Retna Kumar; India's Demographic dividend is turning into a divide; January 20, 2026

implemented population control policies may see a relative loss of political clout, raising questions about distributive justice, fairness, and incentives within the Union.

In this regard, this paper offers a constitutional critique of the current framework, analysing whether the current delimitation strategy adequately reflects the federal character recognised as essential to the fundamental structure and the evolving interpretation of substantive equality under Article 14. In order to determine whether other forms of representation could more effectively balance democratic and federal principles, it also examines various viewpoints and presents normative reasons. The paper concludes with a set of recommendations for reforms that will alter the Indian representative system in a way that upholds the transformative ambition of the Constitution while maintaining electoral justice and federal integrity.

2. Research Methodology

The doctrinal and analytical research approaches used in this paper are mainly based on the analysis of secondary academic sources, judicial precedents, and constitutional requirements. The study is qualitative and aims to assess the constitutional implications of population-based delimitation using constitutional law principles. Constitutional jurisprudence was doctrinally analysed concentrating on the evolution of equality under Article 14 as in the case of *E.P. Royappa v. State of Tamil Nadu*⁹ and the basic structure doctrine as outlined in *Kesavananda Bharati v. State of Kerala*.¹⁰

The study has also referred to secondary sources such as academic articles, policy reports, and constitutional commentaries to substantiate and contextualize the analysis. A small amount of empirical data from the Census of India¹¹ is included to illustrate demographic trends and their potential impact on representation. The constitutional arguments in this paper are supported by this data.

<https://frontline.thehindu.com/economy/india-demographic-transition-north-south-population-divide-report/article70529269.ece>

⁹ AIR 1974 SC 555

¹⁰ AIR 1973 SC 1461

¹¹ Office of the Registrar General & Census Commissioner, India. (2011). *Census of India 2011*. Government of India. <https://censusindia.gov.in/>

3. Review of Literature

Though often in fragmented ways that view democracy, federalism, and equality as distinct rather than related issues, the topic of electoral representation and delimitation in India has attracted substantial scholarly attention. The basis for interpreting the Indian Constitution as a balance between unity and variety, with federalism acting as a key structural feature¹², was set by early constitutional literature, particularly the writings of H.M. Seervai¹³ and Granville Austin.¹⁴ Even while Austin's work does not specifically address the impacts of electoral redistribution, his description of the Constitution as a "cooperative federalism" highlights how crucial it is to maintain the balance between states.

Subsequent studies on the basic structure concept have examined the boundaries of constitutional revisions and how to safeguard important aspects of the Constitution, such as democracy and federalism,¹⁵ in the wake of the *Kesavananda Bharati v. State of Kerala*¹⁶ case. Academics have debated the doctrine's flexibility and scope, with some arguing that it provides strong defence against structural imbalance and others cautioning against judicial overreach. However, there is a significant gap that this research seeks to fill because few studies have examined whether institutional methods like delimitation—rather than legal amendments—can indirectly influence the underlying structure.

Since *E.P. Royappa v. State of Tamil Nadu*¹⁷ reinterpreted Article 14 as a protection against arbitrariness,¹⁸ the evolution of equality jurisprudence has been carefully studied. In order to support a change from formal to substantive equality, scholars have expounded on this doctrinal shift, emphasising the significance of fair results over merely neutral norms. Although this corpus of work provides a useful analytical framework, its applicability to electoral design—particularly delimitation—is not thoroughly explored. An interesting area for future research is the convergence of representation and arbitrariness.

¹² Granville Austin. (1966). *The Indian constitution: Cornerstone of a nation*. Oxford University Press.

¹³ H. M. Seervai. (1996). *Constitutional law of India: A critical commentary* (4th ed.). N. M. Tripathi.

¹⁴ Granville Austin. (1999). *Working a democratic constitution: The Indian experience*. Oxford University Press.

¹⁵ Setu Gupta. (2016). *Vicissitudes and limitations of the doctrine of basic structure*. *ILI Law Review*, Winter Issue, https://ili.ac.in/pdf/p8_setu.pdf

¹⁶ AIR 1973 SC 1461

¹⁷ AIR 1974 SC 555

¹⁸ 2021 SCC OnLine Blog Exp 76

The literature on electoral studies has mostly focused on constituency boundaries, the role of the Delimitation Commission,¹⁹ and the mechanics of delimitation. Policy-focused evaluations have examined the historical rationale for the delimitation moratorium, especially its connection to population control objectives, and have voiced concerns about the political consequences of its eventual repeal. The widening gap between the North and the South has been highlighted by some academics, who claim that varying rates of population growth could cause parliamentary seats to move in favour of northern states. However, these discussions frequently avoid delving into the more complex constitutional concerns and instead remain at the level of description or policy.

Three major shortcomings are identified in the existing literature. First, empirical concerns about delimitation are not sufficiently integrated with doctrinal constitutional analysis. Second, it is still unclear how democracy and federalism clash over representation. Third, normative frameworks that balance federal equilibrium with individual political equality are lacking. By offering a thorough study that incorporates doctrinal reasoning, empirical background, and reform-oriented approaches, this paper seeks to close these gaps and improve knowledge of delimitation within India's constitutional framework.

4. Federalism in India

4.1 “One Person, One Vote”

"One person, one vote" is a fundamental tenet of contemporary constitutional democracy. By ensuring that vote of every citizen has an equal value,²⁰ this standard seeks to promote moral equality in politics. This idea of political equality, which is predicated on the idea that legitimacy results from equal participation in the democratic process, is often seen as essential to representative government. Although this principle is not explicitly stated in the Indian Constitution, it is fundamental to the concept of universal adult suffrage²¹ and the electoral system.

¹⁹ Mayuri Gupta., & Anshul Dalmia. (2025, March 4). *Where do we draw the line? A primer on the delimitation process*. Vidhi Centre for Legal Policy. <https://vidhilegalpolicy.in/wp-content/uploads/2025/03/Where-do-we-draw-the-line.pdf>

²⁰ Priyanka Konwar. (2024). *The voting paradox in India's electoral democracy: An examination of systematic loopholes in one man, one vote system*. *International Journal of Creative Research Thoughts (IJCRT)*, 12(11). <https://www.ijert.org/papers/IJCRT2411107.pdf>

²¹ Constitution of India, Article 326.

This principle's normative appeal stems from its formal neutrality, which ignores regional, social, and economic differences in order to treat all citizens as equal members of the democratic system. Conversely, constitutional federalism runs concurrently with this commitment. It is predicated on an entirely distinct logic of representation. Federalism in India is a structural paradigm that recognises the existence of many regional identities, interests, and governance units within the Union,²² in addition to being a means of managing the government. By ensuring that states, as components of the nation, have a genuine voice in the political process, it seeks to strike a balance between unity and diversity. People often call Indian federalism "quasi-federal," but the Supreme Court has many times stated that it is a part of the Constitution's basic structure,²³ which shows how important it is. Federalism focuses on the fair distribution of power among territorial units, which adds a collective aspect to representation. Subsequently, political equality is more about individuals.

These two concepts are at odds with one another when we examine how elections are conducted. A strictly population-based model, which is predicated on the notion of "one person, one vote," tends to concentrate political power in areas with larger populations. On the other hand, federalism demands that citizens consider the requirements of states with smaller populations or stable populations, failing which they will be routinely excluded from the Union. Because they operate on different normative levels: one focused on individual equality and the other on the equilibrium of constituent units. The two principles are not intrinsically compatible in this sense. Therefore, the challenge in drafting a constitution is to strike a balance between these competing demands while maintaining both federal balance and democratic legitimacy, rather than picking one over the other.

4.2 Evolution of the Indian Demographic Structure

Over the past few decades, India's population has seen significant shift in various regions,²⁴ which has had a significant impact on how people are represented in elections. With Total Fertility Rates

²² Malik, M. A. (2019). *Changing dimensions of federalism in India: An appraisal*. *ILI Law Review*, 2(Winter Issue), <https://ili.ac.in/pdf/mam.pdf>

²³ *S. R. Bommai v. Union of India*, (1994) 3 SCC 1 (India)

²⁴ S. Irudaya Rajan, J. Retna Kumar; India's Demographic dividend is turning into a divide; January 20, 2026 <https://frontline.thehindu.com/economy/india-demographic-transition-north-south-population-divide-report/article70529269.ece>

(TFR) ranging from roughly 1.6 to 1.8,²⁵ southern Indian states like Tamil Nadu, Kerala, and Karnataka have nearly attained replacement fertility levels. However, many northern states, including Bihar and Uttar Pradesh, continue to have higher fertility rates, frequently exceeding 2.5.²⁶ Due to this demographic imbalance, the proportion of Indians residing in the northern belt has steadily increased, while the proportion in the southern states has either decreased or remained unchanged.²⁷

Political representation has thus far been shielded from these population shifts by the constitutional freeze on delimitation, which was initially established by the 42nd Amendment and will last until after the first census after 2026.²⁸ However, it appears that a future delimitation process could significantly alter the composition of the Lok Sabha based on current population patterns. Estimates suggest that states like Bihar and Uttar Pradesh would receive significantly more seats, which could give them even greater authority in parliament. However, despite their advancements in population management and socioeconomic development, southern states such as Kerala and Tamil Nadu may face a decline or stagnation in their representation.

In a larger Lok Sabha, Uttar Pradesh may acquire more than 10–15 more seats, according to preliminary projections based on proportional redistribution models.²⁹ However, there may be no increase in representation at all in states like Tamil Nadu. The balance of power in the federal government would be significantly impacted by such reforms, despite the fact that they are predicated on the notion of numerical equality. They would make the political voices of governments with stable populations muted and those of high-growth regions louder. These patterns draw attention to the main conflict this study explores, which is that population-based representation may lead to structural inequalities that compromise the constitutional commitment to federal fairness when it is used in an environment of uneven demographic transition. The

²⁵ Sogani, A. (2025, October 30). *Youthful North, ageing South: The demography reshaping India's Gulf story*. The Wire. <https://thewire.in/labour/youthful-north-ageing-south-the-demography-reshaping-indias-gulf-story>

²⁶ Census of India 2011, Office of the Registrar General & Census Commissioner, India

²⁷ Sogani, A. (2025, October 30). *Youthful North, ageing South: The demography reshaping India's Gulf story*. The Wire. <https://thewire.in/labour/youthful-north-ageing-south-the-demography-reshaping-indias-gulf-story>

²⁸ Gupta, B. (2025, May 29). *The impact of constituency freeze (Part 1): A study of representative democracy and electoral inequality (2002–2026)*. Vidhi Centre for Legal Policy. <https://vidhilegalpolicy.in/blog/the-impact-of-constituency-freeze/>

²⁹ https://www.moneycontrol.com/news/india/850-member-lower-house-how-many-seats-will-each-state-have-in-expanded-lok-sabha-13889966.html#google_vignette

distribution of political power within the Union is significantly impacted by these demographic disparities, which are more than merely numerical discrepancies.

4.3 Basic Structure Doctrine

The Supreme Court's decision in *Kesavananda Bharati v. State of Kerala*³⁰ established the doctrine of basic structure, which limits the power of the Parliament to change the Constitution serves as the cornerstone of Indian constitutional law. The fundamental provisions of the Constitution cannot be altered in order to accommodate new political and social demands. The Court acknowledges democracy and federalism as essential concepts that define the source of political power and the structure within which it is exercised. In this approach, democracy entails a commitment to political equality and representative government in addition to being a method of accomplishing things. Federalism, on the other hand, ensures that this democratic power is distributed across several levels of government,³¹ maintaining the freedom and autonomy of the states within the Union.

However, acknowledging federalism and democracy as essential components at the same time leads to an unspoken conflict inside the constitutional structure. A purely majoritarian interpretation of democracy, which is based on statistics, typically views population as the sole determinant of political power by guaranteeing that all regions of the nation, regardless of the number of people they represent, have a voice in national decisions. Federalism, on the other hand, restrains this impulse. The interplay of these values raises an important question: whether the pursuit of one essential trait, like electoral equality, inadvertently compromise another, like federal balance? When it comes to election design, where factors like delimitation directly impact the distribution of political power, this tension is particularly intense.

This calls for a deeper constitutional analysis to determine if electoral design might violate the basic framework through structural distortion rather than overt abrogation. Although the theory has traditionally been used to analyse constitutional amendments, its underlying logic suggests that any institutional arrangement that significantly alters the balance between fundamental qualities may be constitutionally dubious. Federalism may not be formally abolished, but its

³⁰ AIR 1973 SC 1461

³¹ Mohanty, C. (2007). *Autonomy of the Indian state since independence. The Indian Journal of Political Science*, 68(4), 719–726.

practical importance within the constitutional framework may be seriously compromised if a system of representation disproportionately benefits some areas while marginalising others. In this case, the question goes beyond just ensuring that delimitation complies with procedural requirements; it asks if its overall effects undermine the goal of the basic structure doctrine of maintaining a balance between democracy and federalism.

4.4 Formal vs. Substantive Equality under the Indian Constitution

E.P. Royappa v. State of Tamil Nadu³² is the best example of how the idea of equality in the Indian Constitution has evolved from a limited, formal interpretation to a more substantive and dynamic norm.³³ In the Royappa case, the Court reinterpreted equality as being against arbitrariness and rejected a simply classificatory interpretation of Article 14. It decided that state action must be fair, rational, and non-arbitrary in content in addition to being formally equal. This doctrinal change marked a significant departure from the earlier emphasis on formal equality, which holds that the law is sufficient if it handles identical circumstances consistently, in favour of a more nuanced understanding that looks at the true implications and equity of legal provisions. In this sense, substantive equality entails considering the circumstances, the consequences of state action, and how it impacts various groups, particularly when structural disadvantage may be concealed by facial neutrality.

An essential perspective on population-based delimitation is provided by this modification to the equality law. Formally speaking, respecting every person as an equal participant in the democratic process appears to be best achieved by granting parliamentary representation only based on population. However, this paradigm reveals deeper constitutional problems when viewed through the prism of substantive equality and the notion of arbitrariness. It puts the achievement of unfair and possibly unjust³⁴ results at risk by ignoring significant regional differences in demographic behaviour, particularly the effectiveness of particular states in implementing population control measures. A structural imbalance that lacks normative justification based only on numerical

³² AIR 1974 SC 555

³³ Latpate, M. G. (2023). *Formal and substantive equality*. *International Journal of Law Management & Humanities*, 6(5), 1743–1750. <https://ijlmh.com/wp-content/uploads/Formal-and-Substantive-Equality.pdf>

³⁴ Radhakrishnan, R. K. (2025, March 22). *Opposition-ruled states demand transparency in delimitation process*. <https://frontline.thehindu.com/news/southern-states-demand-fair-delimitation-opposing-population-based-criteria/article69361462.ece>

considerations could result from states that have reached demographic stabilisation losing some of their relative political influence while those with faster population growth gaining more representation.

According to this perspective, population-based delimitation could be substantively unfair yet nominally comparable. It adheres to mathematical equality but disregards its moral significance, which raises questions under the explanation of the arbitrariness as provided in the Royappa case.³⁵ A rigid, one-dimensional test that ignores significant disparities may be illegal if equality is viewed as a safeguard against capricious government action. The challenge is striking a balance between the necessity for substantive fairness and the intuitive attraction of numerical equality. This entails ensuring that the structure of electoral representation is neutral on the surface and does not unintentionally perpetuate injustice.

4.5 Analysis of the Theoretical Tension in India's Constitutional Design

This analysis reveals a deep theoretical tension in India's constitutional framework that must be viewed as a continuous process of reconciliation among competing normative assertions rather than being resolved by a single commitment to either federal balance or democratic equality. One viewpoint is individual equality, which holds that each citizen's vote should have the same weight and that democratic legitimacy should be founded on numerical equality. The idea of state equality, on the other hand, is a crucial but sometimes obscure component of federalism. This principle tries to make sure that the constituent units of the Union are not politically unimportant just because they have lesser population. These two ideas of equality work at different levels: one is individualistic and the other is territorial. When they are present at the same time within the same constitutional framework, they always end up in conflict with each other.

When seen through the lens of majoritarian democracy, this tension becomes even stronger.³⁶ A strictly majoritarian model, based on population-based representation, favours larger populations and could lead to political power being concentrated in areas with more people. While this method may meet the standards of formal democratic equality, it could also lead to results that are structurally imbalanced from a federal point of view. Federalism, on the other hand, is inherently

³⁵ AIR 1974 SC 555

³⁶ Parisi, F., & Luppi, B. (2025, June 30). *The efficiency paradox of majoritarian democracy* (Minnesota Legal Studies Research Paper No. 2025-33). SSRN. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5331742

anti-majoritarian because it tries to spread power around and protect the voice of states in the Union that are less populous or have stable demographics. In this way, federal balance acts as a constitutional limit on the extremes of majoritarianism, making sure that democracy does not turn into just having more votes.

Therefore, the difficulty is in realising that federal equality and individual equality are not synonymous and do not necessarily go hand in hand. Overemphasising one runs the risk of undermining the other: a population-based approach might upset the federal balance, while an overemphasis on state equality could undermine the concept of equal political participation. Therefore, the purpose of the Constitution is to establish an institutional structure that supports both, rather than favouring one over the other. In order to achieve this, we must consider the more complex question of how to comprehend democratic legitimacy in a federal system rather than only providing "yes" or "no" responses. Is it simply a question of numbers, or is it a more intricate combination of territorial balance and individual representation? The real constitutional significance of the delimitation argument lies in this unresolved contradiction.

5. Does Delimitation Violate Federalism?

5.1 Balance of power between Union and its constituent States

We should not consider whether delimitation violates federalism as a matter of formal compliance. Rather, we ought to consider it as a structural consequence of it. According to the Indian Constitution, the main aim of federalism is to maintain a balance of power between the Union and its territories, by avoiding that any one region or set of regions have excessive amount of influence in the country's political process.³⁷ Therefore, delimitation is a neutral method of balancing representation according to population. However, there are significant concerns regarding whether it aligns with this federal balance given its consequences in an environment where population growth is uneven.

A structural imbalance could result from an excessive redistribution of seats based just on population differences, which would significantly increase the political weight of some districts while diminishing the political weight of others. This involves more than just shifting statistics. It

³⁷ Sahu, M. (2022). Revisiting Indian federalism: An overview of contemporary issues and challenges. *International Journal of Political Science and Governance*, 4(1), 10–19. <https://www.journalofpoliticalscience.com/uploads/archives/4-1-3-565.pdf>

also involves shifting the political power dynamics within the federal system. A larger portion of parliamentary representation goes to states with greater population growth, whereby, as a result, they will have more influence over national laws and policies. However, even if they have contributed to better governance and development results, states that have achieved demographic stability may experience a decline in their influence in the Lok Sabha. This type of imbalance has the potential to alter the internal balance of a federation over time, consolidating political power in a manner that is contrary to the spirit of cooperative federalism.³⁸

Some might argue that organisations like the Rajya Sabha, which permit the states to be represented as units,³⁹ effectively safeguard federalism in India. However, this defence is not particularly strong. The Rajya Sabha does not have equal legislative authority as the Lok Sabha in many areas, particularly in financial concerns where the lower house retains primacy.⁴⁰ Nor does the Rajya Sabha operate on the concept of perfect equality among states. The distribution of seats in the directly elected lower house is crucial for maintaining federal balance because it continues to be the most powerful political body. The protective functions of the upper house might not be sufficient to prevent larger states from assuming power if delimitation results in an obvious and persistent skew in representation.

Therefore, from a constitutional perspective, the question is not whether delimitation genuinely weakens the federal system by disturbing the balance of power that federalism seeks to maintain, rather it is that whether it legally alters it. The Constitution's pluralism and power-sharing tenets may be steadily undermined by a representation mechanism that consistently benefits particular areas based only on population. In this sense, excessive seat redistribution can be seen as creating a kind of structural federal imbalance, which raises serious concerns about the long-term integrity of India's federal structure even though it is not unconstitutional in an obvious sense.

³⁸ Yadav, P. (2022). *Cooperative federalism in India*. *Indian Journal of Integrated Research in Law*, 2(6). <https://jirl.com/wp-content/uploads/2022/11/COOPERATIVE-FEDERALISM-IN-INDIA.pdf>

³⁹ Singh, N. B., & Ankit. (2024, May). *Role of Rajya Sabha in federal scheme*. *ShodhKosh: Journal of Visual and Performing Arts*, 5(5). <https://doi.org/10.29121/shodhkosh.v5.i5.2024.5347>

⁴⁰ Constitution of India, Article 110, 117.

5.2 Population Based Delimitation and arbitrariness under Article 14

The substantive components of the arbitrariness, as outlined in *E.P. Royappa v. State of Tamil Nadu*⁴¹, must be addressed in an analysis of Article 14 in context of population-based delimitation, which goes beyond formal equality. According to this theory, equality serves as a safeguard against both unjust classification and inappropriate, disproportionate, or disregarding state action. The theory requires that legal actions have a logical relationship with their aims and avoid results that are obviously unfair in their application. In this sense, prima facie neutrality does not protect a policy from constitutional scrutiny; rather, the focus is on whether the application of the rule produces unfair or arbitrary results.

When examined from this perspective, a uniform population-based approach for delimitation raises serious constitutional concerns. While attaining equal representation per capita is a legitimate aim, using population as the only determinant ignores important contextual elements, including regional differences in demographic behaviour. Not every state in India has experienced the same rate of population growth.⁴² While some still have significant growth rates, others have had great success with population control techniques, frequently in accordance with national policy objectives. Results that are inconsistent with the general constitutional standards of fairness and reasonableness may result from a rigid adherence to population figures, ignoring these variations. The rule additionally ignores the importance of adhering to policy. States that have effectively controlled population growth, typically by continuing to spend in welfare, education, and public health, may be penalised indirectly with reduced political representation. However, regardless of how inefficiently their government functions, states with faster population growth might receive greater representation, which would be beneficial for them. This creates a perverse incentive system in which adhering to national development goals is not only unrewarded but may even be detrimental to political standing of a state. This result raises an important question for the arbitrariness doctrine as to whether a governmental action be constitutionally justified if it ignores relevant considerations and has disproportionate effects.

⁴¹ AIR 1974 SC 555

⁴² Kulkarni, P. M. (2021). *Population growth in India in the twenty-first century: Huge regional imbalances foreseen*. https://ssca.org.in/media/5_Spl_Proceedings_2021_PMK_14062021_Final.pdf

It is possible to characterise population-based delimitation in this context as both formally equal and substantively arbitrary.⁴³ The Constitution's deeper definition of equality,⁴⁴ which demands both equality in form and justice, may be violated by applying a single metric to circumstances that are inherently unequal. Therefore, the constitutional problem is to design a system of representation that upholds the concept of political equality while simultaneously accounting for the challenges posed by regional diversity and policy performance. Even while the existing delimitation model appears impartial at first glance, it could be viewed as arbitrary without this kind of calibration.

5.3 Violation of the Basic Structure Doctrine

A more thorough analysis of the justification for constitutional restrictions as outlined in *Kesavananda Bharati v. State of Kerala*⁴⁵ is required in light of the possibility of subjecting delimitation to a basic structure challenge. Despite its historical association with constitutional amendments, the concept is based on a broader ethical principle: no use of public power, whether institutional or legislative, should be permitted to alter the fundamental nature of the Constitution. Federalism⁴⁶, which is continuously recognised as a crucial part of the fundamental structure,⁴⁷ functions as a substantive guarantee of fair political participation among the states as well as a formal division of powers. Therefore, the question is whether the Constitution can include mechanisms that seriously disturb this equilibrium on the basis of the basic structure concept, even if they adhere to the rules.

Delimitation has a specific position in this analysis. It is an institutional procedure approved by the Constitution and carried out by statutory⁴⁸ and executive measures rather than a typical legislative act or a constitutional amendment. This raises an important question as to whether a procedure that seems administrative and technical be evaluated against the substantive limitations of the basic structure doctrine. A narrow interpretation would safeguard delimitation from such

⁴³ Latpate, M. G. (2023). *Formal and substantive equality*. *International Journal of Law Management & Humanities*, 6(5), 1743–1750. <https://ijlmh.com/wp-content/uploads/Formal-and-Substantive-Equality.pdf>

⁴⁴ Constitution of India, Article 14.

⁴⁵ AIR 1973 SC 1461

⁴⁶ Chauhan, B. S. (2018, September 16). *Doctrine of basic structure: Contours*. National Judicial Academy. https://nja.gov.in/Concluded_Programmes/2018-19/P-1110_PPTs/6.Doctrine%20of%20Basic%20Structure.pdf

⁴⁷ *S. R. Bommai v. Union of India*, (1994) 3 SCC 1 (India)

⁴⁸ Delimitation Act, 2002 (Act No. 33 of 2002).

scrutiny by limiting the doctrine only to adjustments made in accordance with Article 368.⁴⁹ A more intentional reading, however, suggests that the main goal of the doctrine - to protect the core qualities of the Constitution, may include any governmental action that significantly alters the balance between those qualities.

From this perspective, the federal character of the Constitution is indirectly jeopardised if delimitation results in a substantial and long-lasting shift of political power that marginalises particular states within the Union. This argument would contend that by centralising legislative power in a way that violates the concept of balanced representation, delimitation weakens the functional efficacy of federalism rather than technically abolishing it. A structural reorganisation of the federation that prioritises population domination over territorial equality may result from the cumulative effect of successive redistributions, particularly in a setting of persistent demographic imbalance.

It is possible to refute this novel line of reasoning. In the past, courts have been cautious about election design, often viewing these matters as falling under the jurisdiction of legislative policy.⁵⁰ Additionally, delimitation has some normative legitimacy because the Constitution mandates that it consider demographic shifts. The basic structure concept, which states that even legally approved procedures are subject to substantive scrutiny, emerged as a judicial response to the potential misuse of formal constitutional authority. Determining when election design becomes a constitutional matter rather than a policy matter is the true challenge.

In this sense, a basic structural challenge to delimitation may be primarily theoretical at the moment, but it plays an important constitutional role. It highlights the need to consider the long-term structural effects of representation and calls into question whether numerical equality alone can maintain democratic legitimacy in a federal system. Regardless of whether such a challenge is ultimately successful, its expression emphasises an important point: maintaining federalism requires caution against both overt constitutional amendments and subtle institutional changes that could eventually upset the Union's balance.

⁴⁹ Constitution of India, Article 368.

⁵⁰ *Lakshmi Charan Sen v. A.K.M. Hassan Uzaman*, (1985) 4 SCC 689 (India).

5.4 Thick vs. Thin Democracy

Many believe that the legitimacy of a democratic system is based on the idea of numerical equality. This implies that every vote is equal and that the decisions of the representatives represent the will of the majority. Nevertheless, democratic legitimacy is not adequately explained by this "thin" perspective of democracy, which is predicated solely on statistics and aggregation. A more thorough or "thick" understanding of democracy requires an analysis of the governing the intrinsic justice, inclusivity, and equilibrium of the system in addition to the mechanics of representation.⁵¹ In this sense, democracy goes beyond just tallying votes; it also deals with the circumstances surrounding representation and the consequent allocation of political power.

When it comes to delimitation, the distinction between thin and thick democracy becomes particularly evident. Strictly population-based models prioritise numerical equality and treat every citizen as an equal unit in the electoral system, which is consistent with the thin notion. Although this approach satisfies the formal requirement of equal representation, it may not provide a more significant assurance of fairness.⁵² This kind of model can yield outcomes that give certain areas more power than others when demographic patterns are not properly dispersed, raising concerns about the fairness of the ensuing political structure. Representation cannot be assessed solely at the individual level in a federal democracy because states are important units of identity and governance and thus, it must also take into account the relative prominence of these constituent units within the Union.

This dispute highlights a broader normative struggle between equity and representation. From a federal perspective, even a system that completely equalises votes could result in unequal allocations of political power. However, systems that attempt to maintain equilibrium across states could appear to undermine exact numerical equality. Therefore, the issue is how to integrate these various facets of democratic legitimacy. Maintaining federal equilibrium, avoiding structural hegemony, and protecting various regional viewpoints are just a few examples of the qualitative aspects of representation that must be addressed in order to achieve a strong democracy.

⁵¹ Sahu, M. (2021, July). *The working of democracy in India: Problems and prospects*. ResearchGate. https://www.researchgate.net/publication/353004625_The_Working_of_Democracy_in_India_Problems_and_Prospects

⁵² Hasan, Z. (2006). *Constitutional equality and the politics of representation in India*. *Diogenes*, 53(4), 54–68. <https://doi.org/10.1177/0392192106070347>

According to this viewpoint, the essential concern is not whether democracy should reflect the will of the majority, but rather how that will is created and constrained within a constitutional framework. A purely numerical approach to delimitation could seem insufficient if democratic legitimacy is defined as a combination of representation and justice. Ignoring the constitutional promise of a more diversified and balanced order, it runs the risk of transforming democracy into a system that serves the interests of the majority. Therefore, the objective is to reconsider election procedures so that they align with a more comprehensive concept of democracy, one that preserves the fundamental legitimacy⁵³ of the constitutional system while combining numerical equality with structural justice.

5.5 Democracy must reflect people, not states

The major most convincing argument is that population serves as the most objective and controllable criterion for political representation⁵⁴ when taking into account the main arguments supporting population-based delimitation, which claim that it is both ethically correct and essential for institutions. Anything other than population as the primary criterion for seat distribution could result in subjectivity, arbitrariness, or political manipulation under a society that prioritises universal adult suffrage.⁵⁵ According to this perspective, equal numbers are a democratic need that ensures that the vote of every citizen counts equally regardless of where they reside. Another roughly similar argument is that democracy is fundamentally a means for individuals,⁵⁶ not governments, to represent themselves.

In contrast to traditional federations, the Indian constitution prioritises individual engagement in politics.⁵⁷ The member parts of classical federations have a strong sense of sovereignty. Therefore, prioritising state-based issues in delimitation could be viewed as undermining the concept of popular sovereignty. The protections that are already included in the Constitution, such as the

⁵³ Sonkamble, H. N. (2025, December 15). *The right to question: Democratic legitimacy and the crisis of electoral trust in India*. *LJRHSS (Law Journal for Research in Humanities and Social Science)*, 25(17). <https://journalspress.uk/index.php/LJRHSS/article/view/1718>

⁵⁴ Bello Hutt, D. Rule of Law and Political Representation. *Hague J Rule Law* 14, 1–25 (2022). <https://doi.org/10.1007/s40803-021-00163-5>

⁵⁵ Constitution of India, Article 326.

⁵⁶ Wallace, J., Kundnani, H., & Donnelly, E. (2021, April 14). The importance of democracy. Chatham House. <https://www.chathamhouse.org/2021/04/importance-democracy>

⁵⁷ Das, A. (2024, July 8). *Federalism under the Indian constitution*. iPleaders. <https://blog.ipleaders.in/what-is-federalism/>

Rajya Sabha's function as the federal house,⁵⁸ serve as a third line of defence. Some claim that by granting states a voice at the Union level, the Constitution safeguards regional interests. Because seats in the Lok Sabha are determined by population, this mitigates any potential injustice.

These arguments are strong, but they do not prove anything. Using population as an objective measure is convenient for administration, but it does not always solve the deeper constitutional issue of fairness in outcomes.⁵⁹ Even if the criteria are objective, that does not mean the effect will be fair; a single rule applied to different situations may still have unfair results. In light of the uneven population distribution in India, strict adherence to population metrics may prioritize numerical superiority over other constitutionally significant factors, such as preserving federal equilibrium and preventing structural hegemony. The argument that democracy ought to represent people instead of states ignores the complexity of India's constitutional identity. Although people are the primary holders of political rights, the Constitution acknowledges states as significant entities of governance, culture, and political representation. It would be a fundamental violation of the federal bargain to ignore their respective position in the distribution of power.

The Rajya Sabha's shortcomings as a counterbalance, however, is the most significant counterargument. Although it was designed to be a federal parliament, the Lok Sabha's supremacy⁶⁰ is not effectively checked by its structure and powers. The Rajya Sabha is less capable of acting as a platform for equal state participation because its representation is not strictly equal among states but rather broadly proportionate to population. Its legislative authority is also unequal, particularly when it comes to money,⁶¹ where the Lok Sabha has the greatest authority. Because the Lok Sabha is the primary venue for political power due to its institutional structure, it is crucial to apportion its seats in a way that maintains the federal balance. Because of this, the effects of population-based delimitation cannot be mitigated by the Rajya-Sabha alone.

⁵⁸ Sahoo, N., & Ghosh, A. K. (2025, March 25). *Re-thinking the role of the Rajya Sabha in India's federal democracy*. Observer Research Foundation. <https://www.orfonline.org/research/re-thinking-the-role-of-the-rajya-sabha-in-india-s-federal-democracy>

⁵⁹ Mukunth, V. (2026, April 19). *What the 'science' of delimitation and fertility struggles to capture*. *The Hindu*. <https://www.thehindu.com/sci-tech/science/what-the-science-of-delimitation-and-fertility-struggles-to-capture/article70877673.ece>

⁶⁰ Sahoo, N., & Ghosh, A. K. (2025, March 25). *Re-thinking the role of the Rajya Sabha in India's federal democracy*. Observer Research Foundation. <https://www.orfonline.org/research/re-thinking-the-role-of-the-rajya-sabha-in-india-s-federal-democracy>

⁶¹ Constitution of India, Article 110, 117.

These factors show that while the justification of population-based representation is based on strong democratic values, it falls short of fully addressing the complexities of a federal system's constitution. The challenge is not to reject numerical equality, but to recognise its limitations and protect against its detrimental impact on other core values. Despite their formal persuasiveness, the counterarguments in this case ultimately highlight the need for a more equal and sophisticated approach to election design.

6. Suggested Reforms

6.1 Weighted Representation Model

To reach a principled compromise between the demands of numerical equality and federal balance by incorporating population data with precisely selected performance indicators, including health, education, and human development outcomes⁶², a weighted representation model is used. This approach does not throw away the democratic idea of "one person, one vote." Instead, this approach enhances it by acknowledging that representation in a federal system must also account for the quality of governance and the long-term policy choices made by states. Practically, we can create a composite formula, still keeping population as the main factor, but other measurable factors like literacy rates, public health successes, or success in stabilizing the population affect a set percentage of seats or play an adjustment factor in allocation of seats. This model ought not to replace population as the fundamental basis of representation; rather, it will attempt to alleviate its potentially distorting effects in the context of uneven demographic trajectories.

The capacity of this approach to harmonize formal and substantive equality is the normative rationale behind this approach. All individuals are regarded as equivalent units in a purely population-based system, but it is unresponsive to the broader implications of demographic and policy disparities among states.⁶³ On the other hand, a weighted model adds an element of substantive fairness, which makes sure that states are not unfairly punished for following national policies and producing satisfactory results, especially in areas that are in line with the Directive Principles public health and education.⁶⁴ The weighted model also addresses the issue of perverse

⁶² <https://instituteforhumanities.com/pse/weighted%20vote?pseId=276>

⁶³ Pandey, A. D., & Thakur, S. (2026, April 20). *Democracy, demography and federalism: Constitutional moment after 2026*. LiveLaw. <https://www.livelaw.in/articles/democracy-demography-federalism-constitutional-moment2026-530907>

⁶⁴ <https://instituteforhumanities.com/pse/weighted%20vote?pseId=276>

incentives as currently, more people directly means more political representation, which makes it harder for the country to stabilize its population. A model based on performance-based incentives would fix this problem by making sure that political incentives are in line with developmental goals. This will encourage responsible governance by rewarding development initiatives instead of discouraging it.

Some people might say that using performance indicators could lead to political biasness, since the choice and importance of criteria may be a point of contestation, the solution to which lies in how institutions are set up. An impartial constitutional or statutory entity which uses clear and regularly renewed data from reliable sources, may be assigned the responsibility of identifying the appropriate indicators and their significance. Using objective and measurable metrics such as those used in intergovernmental monetary transfers, would make things even more legitimate and less arbitrary.⁶⁵ The model can also be set up, so that changes in the performance are minute, which fixes things in a somewhat limited way while still keeping the focus on the population.

A weighted representation model is more in line with the interpretation of equality and the federal nature of polity, which when seen from a constitutional perspective, are changing rapidly.⁶⁶ The model understands that democratic legitimacy in a diverse federation cannot be reduced to arithmetic alone, but considerations of balance, incentivisation and fairness must also be incorporated. The model aims for reconciliation of individual political equality with the overarching objectives of effective governance and federal equality by combining population metrics with performance indicators, which presents a feasible approach for restructuring the representation system in India in a manner that is institutionally practical as well as normatively justifiable.

6.2. Strengthening the Rajya Sabha

A second institutional reform is to make the Rajya Sabha stronger so that it can work as a bona fide federal chamber that can look into the problems that arise in the Lok Sabha. The Constitution mandates a bicameral Parliament,⁶⁷ with the upper house representing the states, but the current

⁶⁵ Bose, S., Noopur, & Nayudu, A. S. H. (2022, March 25). *Intergovernmental fiscal transfers and expenditure on education in India: State level analysis, 2005 to 2020* (NIPFP Working Paper No. 377). National Institute of Public Finance and Policy. https://www.nipfp.org.in/media/medialibrary/2022/03/WP_377_2022.pdf

⁶⁶ Constitution of India, Article 14.

⁶⁷ Constitution of India, Article 79.

design reduces the effectiveness of Rajya Sabha as a counter-majoritarian institution. The legislative powers of the Rajya Sabha are not equal to the Lok Sabha and its membership too, is mostly based on population. For example, the Lok Sabha has more power and discretion in case of money bills. Consequently, the upper house fails to carry out its duty to protect the interests of the minority groups from being overrun by the majority.

Rajya Sabha needs both structural and functional changes⁶⁸ to make it a real federal chamber. It requires greater equality in representation among states to carry out its federal functions, which can be achieved either by using a weighted formula that lessens the influence of one group over another, or by partially equalizing seats. This, however does not mean that all states have to be completely equal in number. A calculated move away from strict proportionality would let smaller or more stable states keep a meaningful say in decision-making. If the ways of choosing the representatives are reformed, it could also help the Rajya keep its identity as a place for state interests, rather than just a secondary chamber of the Lok Sabha.⁶⁹

It is now, more than ever before, a necessity to give the Rajya Sabha more power in terms of its functions. To make sure that national policy reflects the views of the whole federal government, the Rajya Sabha must be given more powers in case of financial laws, or must at least be given a suspensive veto with more power. By requiring a majority or unanimous vote, the role of Rajya Sabha in issues that affect states, such as intergovernmental relations, resource distribution, and constitutional amendments, which alter the balance of power between the federal government and the states, could also be improved. Such changes would shift the role of the upper house from a body that reviews things into one that actively helps maintain the Constitutional balance and the true embodied spirit of federalism.

The rationale behind suggesting more structural power to the Rajya Sabha resides in its capacity to harmonize the conflicting imperatives of federalism and democracy.⁷⁰ A stronger and federal upper house can maintain constitutional balance needed to ensure that the needs of the minorities are not overlooked even if the Lok Sabha continues to follow the idea of representation based on

⁶⁸ Constitution of India, Article 80.

⁶⁹ Vaishnav, M., & Hinton, J. (2019, March 14). *India's emerging crisis of representation*. Carnegie Endowment for International Peace. <https://carnegieendowment.org/research/2019/03/indias-emerging-crisis-of-representation>

⁷⁰ Sahoo, N., & Ghosh, A. K. (2025, March 25). *Re-thinking the role of the Rajya Sabha in India's federal democracy* (ORF Occasional Paper No. 469). Observer Research Foundation. <https://www.orfonline.org/research/re-thinking-the-role-of-the-rajya-sabha-in-india-s-federal-democracy>

population. Bicameralism, in this context, evolves from a mere procedural characteristic provided in the Constitution to a fundamental mechanism for harmonising territorial equity with individual political equality.

From a constitutional point of view, these changes would reinforce the basic structure by strengthening the federal side of parliamentary governance without hurting democratic representation. In place of changing the "one person, one vote" rule in Lok Sabha, fortifying the Rajya Sabha is a more convenient solution that retains numerical equality while putting it in a more balanced and pluralistic institutional framework.

6.3 Hybrid Delimitation Formula

A more fine-tuned substitute to a strictly population centric model is proposed by a hybrid delimitation formula.⁷¹ It attempts to provide such an alternate by incorporating caps or balancing factors that mitigate the effects of demographic asymmetry. This method would retain the democratic principle of numerical equality by keeping population as the main factor in representation, however, constitutionally allowed limits would restrain its effects. For instance, sudden and unfair changes in political power can be stopped by setting a ceiling limit on the number of seats won and lost in each delimitation cycle.

A "bandwidth" model could facilitate changes and modifications while preventing significant inequalities in representation, which instead of adhering to strict proportions, fluctuate within a specified range. These kinds of mechanisms are not novel in constitutional design. They show that using pure math on uneven social realities can lead to structurally unbalanced outcomes. A hybrid model aims at reconciling the principle of equal representation with the necessity of maintaining federal equilibrium by incorporating modest correctives into the delimitation process, which thereby prevents demographic variation which results in political dominance.

⁷¹ *Telangana CM writes to PM urging hybrid model to save Southern States' interests in delimitation. The Hindu.* <https://www.thehindu.com/news/national/telangana/revanth-writes-to-modi-urging-hybrid-model-to-save-southern-states-interests-in-delimitation/article70861788.ece>

6.4 Constitutional Recognition of Federal Equality

The conflicts inherent in the current federal structure may warrant explicit constitutional recognition of "federal equality" as a principle of representation⁷² even more fundamentally. Though the basic structure has been judicially affirmed to include federalism,⁷³ the constitutional text does not fully articulate the implications of federalism for electoral design. A pertinent constitutional amendment may fill this gap by providing for Parliamentary representation to be in accordance with individual political equality as well as equal participation of the states as constituent units. Such an amendment does not need to replace the principle of population-based representation, but it may require the inclusion of balancing factors or it may entail that the standards of federal fairness are met by delimitation exercises. By making federal equality an explicit constitutional standard rather than an implicit one, the amendment would give those in charge of electoral design more specific guidance and reduce the need for an ad hoc court interpretation. More significantly, it would indicate a normative commitment to preserving the Constitution's pluralistic and power-sharing principles, ensuring that the development of democratic representation does not jeopardise federal integrity.

7. Conclusion

The discussion and arguments made above reveal that delimitation in India is not a neutral technical exercise but a constitutionally significant process that brings the existence of democracy, federalism and equality together at a crossroads. The application of the principle of population-based representation in an uneven demographic change reveals deeper structural tensions.⁷⁴ Rigid insistence on numerical parity risks favouring majoritarian outcomes over federal balance which can result in the potential marginalisation of states that have achieved demographic stability and contributed significantly to the national development objectives. From this perspective, even though the current framework is formally consistent with the democratic norms, it raises serious

⁷² Tamararasan, M., & Iyyappan, R. (2025, November 23). *Designing a fair parliament: Degressive proportionality and the challenge of fair representation in India* (SSRN Working Paper). SSRN. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5539498

⁷³ *S. R. Bommai v. Union of India*, (1994) 3 SCC 1 (India)

⁷⁴ Pandey, A. D. (2025, January 25). *Population-based delimitation: Resulting in unequal representation*. LiveLaw. <https://www.livelaw.in/articles/territorial-representation-system-and-indian-democracy-281980>

concerns when it is evaluated from the perspective of substantive equality and the basic structure doctrine.

This paper has argued that this tension cannot be resolved by rigidly giving more importance to either individual equality or state equality in isolation. The constitutional challenge lies in harmonizing these conflicting imperatives while safeguarding both federal integrity and democratic legitimacy. If an unqualified population-based delimitation is done, it could lead to structurally imbalanced and fundamentally unequal results, which would inevitably harm the pluralistic spirit of the Indian Constitution.⁷⁵ On the other hand, there are counterarguments in favour of popular sovereignty, that builds on the principle that a democratic government is ‘*of the people, by the people, for the people,*’ and of numerical objectivity that highlight the importance of careful discretion in moving away from established democratic principles.⁷⁶

Therefore, the suggested changes become important in this context. A hybrid formula of delimitation, strengthening of the Rajya Sabha and the addition of incentive protection mechanisms, all work together to pave a clear path toward changing the system of representation in India. These measures do not aim to supersede the principle of “one person, one vote,” but rather to improve it by integrating it into a more comprehensive constitutional reflection of equity, equilibrium, and effective governance. The potential for an unequivocal acknowledgment of the principle of federal equality through a constitutional amendment highlights the necessity to shift from assumptions that are inferred to a clearly standardised representation design.

The fundamental question is not whether democracy must embody the will of the populace, but rather how that will is to be formulated within a such a diverse and constitutionally federal political framework. If democratic legitimacy is perceived as transcending mere aggregation of people—incorporating the values of fairness, inclusion, and equilibrium—then electoral design too must adapt to embody this more complex and refined understanding.⁷⁷ So, delimitation should not just be seen as a mathematical problem; it should be perceived as a constitutional choice that will have

⁷⁵ Arushi, *Embracing Diversity: The Pluralistic Framework of the Indian Constitution*, 7 (3) IJLMH Page 4142 - 4149 (2024), DOI: <https://doi.org/10.1000/IJLMH.117904>

⁷⁶ Laski, H. J. (1919). Theory of popular sovereignty. *Michigan Law Review*, 17(3)

⁷⁷ International Political Science Association. (2025). *V political process: Public opinion, attitudes, parties, forces, groups and elections*, *International Political Science Abstracts*, 75(2).
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long-term effects on the balance of the Union. The government must ensure that India's democratic system is not only equal in numbers, but also fair according to the law.

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