

Delimitation After the Census: Does Population-Based Representation Threaten the Basic Structure of Indian Federalism?

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Article: Received: 22/05/2026, Returned: 28/05/2026, Accepted: 04/06/2026, Published:06/06/2026.

D.O.I. <https://doi.org/10.5281/zenodo.20568174>



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Abstract: The constitutional freeze on the inter-State allocation of Lok Sabha seats, sustained since the Forty-second Amendment and most recently extended by the Eighty-fourth Amendment, is set to lapse with the first census taken after 2026. The prospect of a fresh, population-driven delimitation has revived a long-dormant tension at the heart of the Indian Union: the collision between the egalitarian principle of “one person, one vote” and the federal promise that constituent States retain a meaningful voice in the national legislature. This paper seeks to determine whether a delimitation carried out solely on the basis of population figures will breach the Constitution’s basic structure, particularly considering federalism and democracy as being established basic features of the Constitution via judicial pronouncement. Through an interpretation of the precedent set in *Kesavananda Bharati*, *S.R. Bommai*, *Kihoto Hollohan* and *Indra Sawhney*, in consideration of the Constitution (One Hundred and Thirty-first Amendment) Bill, 2026 and the Delimitation Bill, 2026, the current paper advances that while population based representation is clearly a constitutional mandate and does not pose any threats to the basic structure per se, the real danger to the basic structure is in the execution thereof, the use of specific census, the suddenness thereof, and weakening of federal safeguards to balance the same.

Keywords: Delimitation; Basic Structure Doctrine; Indian Federalism; Population-Based Representation; Article 82; Electoral Equality; Census 2026; Lok Sabha Seat Allocation.

I. Introduction: Few questions in Indian constitutional law fuse the technical and the existential as completely as the readjustment of legislative constituencies after a census. Beneath this apparently administrative surface of delimitation, lies a contest over the distribution of political power among the constituent units of a federal Union, and therefore over the very character of the Republic. The Constitution directs that the allocation of seats in the House of the People be readjusted upon the completion of each census, and that the ratio between the population of a constituency and the seats allotted to it be, so far as practicable, uniform.¹ That command, straightforward in 1950, has become one of the most politically charged provisions of the constitutional text.

¹INDIA CONST. art. 81, cl. 2(a)–(b); id. art. 82.

The reason is demographic divergence. Since the 1970s, the southern and several western States have achieved demographic stabilisation through sustained investment in education, public health and family planning, while large northern States have continued to grow rapidly. A delimitation conducted strictly on current population figures would therefore transfer parliamentary weight northward and diminish the relative share of States that succeeded in arresting their population growth.² Successive governments, conscious of this paradox, deferred the reckoning: the Forty-second Amendment froze the seat allocation against the 1971 census, and the Eighty-fourth Amendment extended that freeze until the first census taken after 2026.³

With that horizon now upon the nation, and with the Union Government having introduced the Constitution (One Hundred and Thirty-first Amendment) Bill, 2026 and the Delimitation Bill, 2026 to restructure both the size and the basis of representation in the House of the People,⁴ the dormant question has acquired urgency. This paper asks a precise constitutional question: does population-based representation, when given full effect after the census, threaten the basic structure of Indian federalism? The enquiry is not merely academic. If a purely demographic delimitation abrogates a basic feature, it is liable to be struck down notwithstanding the formal validity of the amending process; if it does not, the political objections to it, however weighty, must be addressed through ordinary politics rather than constitutional adjudication.

The argument advanced here proceeds in five movements. Part II reconstructs the constitutional and historical architecture of delimitation. Part III sets out the basic structure doctrine and locates federalism and democracy within it. The Part IV of the Indian Constitution addresses the primary conflict between equality among voters and federal equilibrium. The Part V examines the legislative plans for 2026 from the perspective of the basic structure test. The Part VI outlines a possible solution to the conflict. The thesis here is that representative equalization in terms of population is required by the Constitution and therefore cannot be incompatible with the basic structure of the Constitution; rather, the constitutional dilemma lies in the manner in which counting translates into apportionment.

II. The Constitutional and Historical Architecture of Delimitation

A. The Textual Scheme: The constitutional scheme for the composition of the House of the People rests on a triad of provisions. Article 81 fixes the maximum strength of the House and prescribes that seats be allotted to the States in such manner that the ratio between the number of seats and the population of each State is, so far as practicable, the same for all States, and that each State be divided into territorial constituencies in which the ratio between population and seats is uniform throughout.⁵ Article 82 then operationalises the temporal dimension, requiring that upon the completion of each census the allocation of seats and the division of States into constituencies be readjusted by such authority and in such manner as Parliament may by law determine.⁶ The parallel provision for the State Legislative Assemblies is Article 170, with Article 327

²See M.K. Stalin's warning that Tamil Nadu and Bihar, with near-identical populations in 1971, today diverge sharply, Bihar's population being roughly one-and-a-half times that of Tamil Nadu, with corresponding implications for seat share. See Tamil Nadu Assembly Passes Resolution Against Delimitation, DECCAN HERALD (2024).

³The Constitution (Forty-second Amendment) Act, 1976; The Constitution (Eighty-fourth Amendment) Act, 2001. See also Statement of Objects and Reasons, Constitution (Eighty-fourth Amendment) Act, 2001 (population stabilisation rationale).

⁴The Delimitation Bill, 2026, PRS Legislative Research, <https://prsindia.org/billtrack/the-delimitation-bill-2026> (last visited June 5, 2026); see also Proportional Freeze, 'Latest Census' & 850 Seats in LS, THE PRINT (Apr. 14, 2026).

⁵INDIA CONST. art. 81, cl. 2.

⁶INDIA CONST. art. 82.

conferring on Parliament the power to make provision with respect to all matters relating to elections, including delimitation.⁷

The basic tenet of this model is equal representation, and it is usually encapsulated by the phrase “one man, one vote, one value.” It was the intent of the founders that representation be proportional to population, which means that the movement of citizens or the increase in size of populations will gradually find its reflection in representation in the legislature.

B. The History of the Freeze: Delimitation operations were carried out scrupulously during the first few decades of the republic years through the constitution of Commissions in 1952, 1963, and 1973, and yet another Commission was constituted in 2002, drawing up constituencies as per the latest census figures. The break came in 1976. During an intensive family planning campaign in the nation, the Forty-second Amendment Act kept the total strength of Lok Sabha seats along with their State-wise distribution frozen on the basis of the 1971 census, purportedly in order to ensure that states which had progressed in terms of population control did not suffer any penalty in terms of seats lost. The freeze was set to expire by the year 2001 census, but this was extended until the census of the year 2026, by the Eighty-fourth Amendment. Two features of this history bear emphasis. First, the freeze was always conceived as a temporary suspension of a constitutional command, not its repeal; the readjustment obligation under Article 82 was deferred, not extinguished. Second, the deferral itself created a growing democratic deficit. As populations diverged, the value of a vote came to vary dramatically across constituencies, some members of Parliament representing fewer than half a million electors while others represented constituencies several times that size.⁸ The Constitution, in other words, has for half a century tolerated a controlled departure from strict representational equality in the name of federal and developmental equity. The post-2026 delimitation forces a decision on whether, and how, to end that departure.

III. The Basic Structure Doctrine and the Place of Federalism Within It

A. The Doctrine’s Origins: The basic structure doctrine, the most consequential innovation of Indian constitutional jurisprudence, holds that Parliament’s power to amend the Constitution under Article 368, though plenary in form, does not extend to altering or destroying those features that constitute the Constitution’s essential identity. The doctrine was propounded in *Kesavananda Bharati v. State of Kerala*, where a thirteen-judge bench, by the narrowest of majorities, held that while no provision of the Constitution is beyond amendment, the amending power may not be used to damage or emasculate its basic foundations.⁹ Although the Court declined to enumerate exhaustively the components of the basic structure, the judgments identified the supremacy of the Constitution, the republican and democratic form of government, the federal character of the polity, secularism, the separation of powers and judicial review among its essential elements.¹⁰

⁷INDIA CONST. arts. 170, 327. The Delimitation Commission’s orders, once laid before the House, acquire the force of law and are insulated from judicial challenge under successive Delimitation Acts.

⁸Former Speakers Shivraj Patil and Somnath Chatterjee warned that the freeze had produced gross representational inequities, with some constituencies exceeding three million while others fell below half a million. See *Delimitation in India*, THE PRINT (Apr. 15, 2025).

⁹*Kesavananda Bharati v. State of Kerala*, (1973) 4 S.C.C. 225, A.I.R. 1973 S.C. 1461 (India). The bench divided 7:6 in favour of the doctrine.

¹⁰*Id.*; see also *Indira Nehru Gandhi v. Raj Narain*, (1975) Supp. S.C.C. 1, A.I.R. 1975 S.C. 2299 (India) (applying the doctrine to strike down a constitutional amendment validating an election); *Minerva Mills Ltd. v. Union of India*, (1980) 3 S.C.C. 625, A.I.R. 1980 S.C. 1789 (India) (limited amending power as itself a basic feature).

The doctrine was consolidated in subsequent decisions. *Minerva Mills* confirmed that the limited nature of the amending power is itself part of the basic structure, so that an amendment purporting to confer unlimited amending power is void.¹¹ *Waman Rao* settled the temporal reach of the doctrine, holding that amendments made after 24 April 1973, the date of the *Kesavananda Bharati* judgment, are subject to basic structure review.¹² In *I.R. Coelho* the Court held that even laws placed in the Ninth Schedule are amenable to review if they damage the basic structure or abrogate fundamental rights.¹³ The doctrine thus operates as a substantive limit: an amendment that is procedurally impeccable may nevertheless be struck down if its effect is to dismantle a basic feature.

B. Federalism as a Basic Feature: That federalism numbers among the basic features is now beyond serious doubt. In *S.R. Bommai v. Union of India*, a nine-judge bench expressly characterised the federal structure as a basic feature of the Constitution, holding that the conferment of greater power on the Union does not convert the polity into a unitary one and that the States are not mere appendages of the Centre.¹⁴ The Court accepted that Indian federalism is of a distinctive, Union-leaning kind, often described as quasi-federal, but insisted that the existence of States with their own constitutionally guaranteed sphere is integral to the constitutional design. *Bomani* thereby elevated federalism from a structural description to a normative constraint on constitutional and executive power.

Democracy and free and fair elections occupy the same protected status. In *Kihoto Hollohan v. Zachillhu*, the Supreme Court observed that democracy is part of the basic structure of the Constitution, and that the rule of law and free and fair elections are basic features of democracy.¹⁵ Equality before the law and the broader guarantee of equality were affirmed as basic features in *Indra Sawhney v. Union of India*, where the Court upheld reservations for the backward classes while capping total reservation and treating equality as a constitutional fundamental.¹⁶ The convergence of these authorities is significant for the present enquiry: any constitutional change touching the allocation of legislative seats simultaneously engages two basic features, the federal distribution of power and the democratic principle of equal representation.

IV. The Central Tension: Electoral Equality Versus Federal Balance

A. The Egalitarian Case for Population-Based Delimitation: The constitutional case for a population-based delimitation is powerful and proceeds directly from the text. Article 81 commands that the value of a vote be, so far as practicable, equal across the Union; the prolonged freeze has produced precisely the inequality the provision was designed to prevent.¹⁷ On present figures, States such as Tamil Nadu and Kerala hold more seats than their population share would warrant, while populous States such as Uttar Pradesh and Bihar hold fewer, so that the ballot of a citizen in the latter States carries materially less weight than that of a citizen in

¹¹*Minerva Mills Ltd. v. Union of India*, (1980) 3 S.C.C. 625 (India).

¹²*Waman Rao v. Union of India*, (1981) 2 S.C.C. 362, A.I.R. 1981 S.C. 271 (India).

¹³*I.R. Coelho v. State of Tamil Nadu*, (2007) 2 S.C.C. 1, A.I.R. 2007 S.C. 861 (India).

¹⁴*S.R. Bommai v. Union of India*, (1994) 3 S.C.C. 1, A.I.R. 1994 S.C. 1918 (India). The bench held federalism, secularism and democracy to be basic features and subjected proclamations under Article 356 to judicial review.

¹⁵*Kihoto Hollohan v. Zachillhu*, 1992 Supp. (2) S.C.C. 651, A.I.R. 1993 S.C. 412, ¶ 8.1 (India). The Court held that periodic elections at prescribed intervals and the protection of the purity of the electoral process are essential to the democratic system envisaged by the Constitution.

¹⁶*Indra Sawhney v. Union of India*, 1992 Supp. (3) S.C.C. 217, A.I.R. 1993 S.C. 477 (India).

¹⁷INDIA CONST. art. 81, cl. 2(b).

the former.¹⁸ From the standpoint of democracy as a basic feature, this is itself a constitutional infirmity: a system in which votes are systematically unequal in value sits uneasily with the principle, affirmed in *Kihoto Hollohan*, that the purity and fairness of the electoral process are essential to the democratic order.¹⁹

Comparative experience reinforces the point. Political scientists treat severe malapportionment, the systematic over-weighting of some citizens relative to others, as a defect in democratic design, and there is empirical evidence across jurisdictions that disproportionate per-capita representation translates into disproportionate fiscal transfers.²⁰ On this view, continued postponement does not preserve a neutral status quo; it perpetuates and deepens a departure from equal citizenship that the Constitution affirmatively disfavours.

B. The Federal Case Against Pure Population Proportionality

The argument, hence, based on equality holds that a delimitation of constituencies based on actual populations does not constitute any threat to the basic structure, rather it constitutes a vindication of the basic democratic ideal underlying it. Opposed to it is the equally compelling federal challenge. India is neither merely a collection of individuals nor is it a union of people; it is rather a Union of States, and the federal ideal, considered basic by the Constitution Bench in *Bommai*, assumes that the constituent States maintain their collective identity in national politics. A delimitation based entirely upon population will, in fact, result in a situation where of large northern States.²¹ The federal objection is not a rejection of equal citizenship but a claim that, in a diverse and unevenly developed Union, electoral equality must be tempered to preserve regional voice, lest federalism be reduced to a formal label while substantive power flows to a demographic bloc.

This objection carries a distinctive moral charge in the Indian context because the demographic divergence is itself the product of differential policy success. The States poised to lose relative weight are, in large measure, those that most effectively implemented the family-planning policies the Union itself promoted; to penalise them now is said to invert the logic of cooperative federalism and to create a perverse disincentive for good governance.²² Critics also observe that the absolute gains promised to Southern States, additional seats in a larger House, do not answer the federal concern, which is about relative weight and bargaining power within the Union, not absolute numbers.²³

C. The Tension Is Genuine but Not a Constitutional Antinomy: It is tempting to frame the dispute as an irreconcilable clash between two basic features, democracy demanding equal votes, federalism demanding regional balance. That framing is, however, overstated. The Constitution itself contemplates that representational equality is to be pursued “so far as practicable,” a phrase that on its own terms admits of

¹⁸Analysts estimate that Tamil Nadu and Kerala currently hold roughly nine and six seats more than their population share, while Uttar Pradesh and Bihar hold approximately twelve and nine seats fewer than their proportionate entitlement. See *South v. North: The Battle Over Redrawing India’s Electoral Map*, BBC NEWS (2024).

¹⁹*Kihoto Hollohan v. Zachillhu*, A.I.R. 1993 S.C. 412 (India).

²⁰See *Delimitation: South Must Not Lose the Plot*, DECCAN HERALD (noting that research in the United States and Japan associates higher per-capita representation with greater central transfers, and citing the over-representation of small States in the United States Senate).

²¹See *Delimitation Must Not Derail Polity*, DECCAN HERALD (warning that demographic delimitation would diminish the relative strength of southern States and impair the federal arrangement).

²²See *Delimitation Is Becoming a Battle for Power*, TIMES OF INDIA (describing the “paradoxical disincentive for development” whereby States that invested in education, healthcare and family planning face political penalties).

²³Compare the Union Home Minister’s assurance that southern States would gain seats in absolute terms with the critique that relative political weight would nonetheless shift northward. See *Delimitation Bill 2026: Impact on Federalism*, TESTBOOK (Apr. 27, 2026).

accommodation to other constitutional values.²⁴ Indian federalism, moreover, distributes State influence not through the House of the People alone but through the Council of States, the distribution of legislative competences, the fiscal architecture and the role of constitutional bodies. The federal voice of a State does not collapse merely because its share in one chamber declines, provided the broader federal scheme retains compensating mechanisms.

The decisive point for basic structure analysis is this: the doctrine protects the essential identity of a feature, not any particular numerical configuration of it. Federalism as a basic feature requires that States subsist as constitutionally significant units with a real voice; it does not constitutionalise the 1971 seat distribution or any fixed inter-State ratio.²⁵ Conversely, democracy as a basic feature requires meaningful equality of suffrage, but it has never been understood to mandate perfect arithmetical equality irrespective of all other considerations. The tension, properly understood, is therefore not an antinomy between two inviolable absolutes but a question of calibration within a constitutional design that already builds in qualification. That reframing is essential, because it relocates the constitutional danger from the principle of population-based representation to the modalities of its implementation.

V. Testing the 2026 Proposals Against the Basic Structure

A. What the Bills Propose: The Constitution (One Hundred and Thirty-first Amendment) Bill, 2026, read with the Delimitation Bill, 2026, would affect three principal changes. First, it would amend Article 81 to raise the strength of the House of the People substantially, with figures of up to 850 seats reported.²⁶ Second, it would remove the proviso to Article 82 that froze inter-State seat allocation against the 1971 census until the first census after 2026, and would empower Parliament to determine, by ordinary law, the timing of delimitation and the census on which it is to be based.²⁷ Third, the package would activate the one-third reservation of seats for women, introduced by the One Hundred and Sixth Amendment, upon completion of the new delimitation.²⁸

B. The Constitutional Difficulties

Two features of the package raise legitimate basic structure concerns, though neither flows from population-based representation as such.

The first is the proposal to let Parliament select, by simple majority, the census on which delimitation rests. Article 82, as it stands, ties readjustment to the latest census, embodying a principled commitment that representation track the most current demographic reality.²⁹ An amendment empowering Parliament to delimit on 2011 figures, rather than the census taken after 2026, would sever representation from contemporary population and could be deployed to engineer a particular distribution of seats. Commentators have observed that conducting delimitation on 2011 data, while leaving the post-2026 trigger untouched

²⁴INDIA CONST. art. 81, cl. 2(a)–(b) (qualifying the equality requirement with the words “so far as practicable”).

²⁵The basic structure doctrine guards’ essential features against abrogation, not against modification; an amendment that alters a feature without destroying its essence does not offend the doctrine. See *Kesavananda Bharati v. State of Kerala*, (1973) 4 S.C.C. 225 (India); *Waman Rao v. Union of India*, (1981) 2 S.C.C. 362 (India).

²⁶Proportional Freeze, ‘Latest Census’ & 850 Seats in LS, THE PRINT (Apr. 14, 2026); The 84th CAA and Delimitation Dilemma, LUKMAAN IAS (Apr. 24, 2026).

²⁷The Delimitation Bill, 2026, PRS Legislative Research (noting that the amendment would let Parliament decide by simple majority when to delimit and which census to use); see also *Why Cabinet’s Proposed Delimitation Amendment Violates Constitutional Compact*, LIVELAW (Apr. 16, 2026).

²⁸The Constitution (One Hundred and Sixth Amendment) Act, 2023 (women’s reservation, operative upon delimitation).

²⁹INDIA CONST. art. 82; The Delimitation Bill, 2026, PRS Legislative Research.

elsewhere in the constitutional scheme, would create an internally contradictory text in which two provisions impose irreconcilable demands on the same exercise.³⁰ To the extent the amendment enables a delimitation on stale data chosen for advantage, it threatens the fairness of the electoral process that Kihoto Hollohan placed within the basic structure.³¹

The second concern is the weakening of deliberative and federal safeguards. By transferring to a simple parliamentary majority decisions previously anchored in the constitutional text, timing, census, and the relative role of the two Houses, the package reduces the structural checks that ordinarily attend so consequential a reallocation of power.³² Where an amendment both shifts parliamentary weight toward one region and simultaneously dilutes the institutional mechanisms through which the disadvantaged units might protect their interests, the cumulative effect, not any single clause, may approach the line at which federalism, as a basic feature, is impaired.

C. Why the Principle Survives Even If the Modalities Do Not: It is important to separate the principle from its packaging. A delimitation that (i) rests on the most current census, as Article 82 has always required; (ii) enlarges the House so that no State loses seats in absolute terms; and (iii) preserves or strengthens compensating federal mechanisms would advance the democratic basic feature without abrogating the federal one. Such an exercise would be the faithful discharge of a constitutional command long deferred, not its violation.³³

On the other hand, the vulnerability of the 2026 constitution is not in its preference for population-based representation but rather in its discretionary selection of demographic base and its weakening of the federal system. A court applying the basic structure doctrine would not strike down population-proportionate delimitation per se; it would scrutinise whether the particular amendment, in substance and effect, so concentrates power and so erodes the federal voice as to damage the essential identity of the federal scheme.³⁴ The distinction is not merely doctrinal housekeeping; it determines whether the appropriate forum for objection is the courtroom or the political process.

VI. Reconciling Representation and Federation: Assuming that the analysis is right, it is not a case of deciding whether one should adopt democracy or federalism but rather how to strike a balance between them. There are various ways which, though individually known, make up for a cohesive system. The first method is through the enlargement of the House in conjunction with the most recent census. Through the enlargement of the total number of seats, it becomes possible for the population-rich northern states to be allotted more seats without suffering any loss, which is a federal concern, Article 82 contemplates.³⁵

This second principle is that of degressive proportionality, which is the intentional mitigation of per capita equality for the benefit of smaller or demographically consistent entities. This type of principle is

³⁰See Why Cabinet's Proposed Delimitation Amendment Violates Constitutional Compact, LIVELAW (Apr. 16, 2026) (arguing that amending the operative trigger without correspondingly amending Article 82 would render the scheme internally contradictory, and that the choice of demographic baseline bears directly on the federal distribution of seats).

³¹Kihoto Hollohan v. Zachillhu, A.I.R. 1993 S.C. 412 (India).

³²The Delimitation Bill, 2026, PRS Legislative Research (observing that the framework weakens the Council of States' relative control and concentrates discretion in the House where the Government commands a majority).

³³The enlargement of the House to avoid absolute losses, coupled with reliance on the latest census, has been proposed as the model that best reconciles representation with federal fairness. See Delimitation Bill 2026: Impact on Federalism, TESTBOOK (Apr. 27, 2026).

³⁴On the substance-over-form character of basic structure review, see *Minerva Mills Ltd. v. Union of India*, (1980) 3 S.C.C. 625 (India), and *I.R. Coelho v. State of Tamil Nadu*, (2007) 2 S.C.C. 1 (India).

³⁵See BBC News, *supra*; TESTBOOK, *supra* (enlargement to avoid absolute losses).

commonly found within constitutional comparison when numbers do not exactly match for some form of protection, as it fits within the qualification of “as far as practicable” found in Article 81.³⁶

Thirdly, there is a need for the reinforcement of compensatory federal institutions – a genuinely representative Council of States, adequate fiscal decentralization, and effective safeguards against centralization. All three are needed to address the problem of federalism from the perspective of State representation and State finances without locking the House of the People into an archaic demographic formula. Taken together, all three help the Union meet the requirements of Article 82 in full consonance with the doctrine of federalism laid down in *Bommai*.³⁷

What the basic structure doctrine ultimately requires of the post-2026 delimitation is therefore process and proportion rather than perpetual postponement. The Constitution does not permit the indefinite suspension of equal representation; nor does it permit a reallocation so abrupt and so unaccompanied by federal safeguards as to hollow out the States’ constitutional voice. Between these poles lies a constitutionally faithful path, and it is the responsibility of the political branches to walk it transparently and inclusively.³⁸

VII. Conclusion: The question posed by this paper, whether population-based representation threatens the basic structure of Indian federalism, admits of a careful, qualified answer. Population-based representation is not a threat to the basic structure; it is the constitutional default. Article 82 calls for readjustment following each census, and the democratic characteristic of India’s constitution, according to Kihoto Hollohan, is respected, not undermined, through parity between representation in Parliament and population numbers. “The half century moratorium,” no matter how well-founded as an interim arrangement, was always “a postponement of constitutional duty,” and would become inconsistent with equal citizenship.³⁹

However, federalism too, which was just as fundamental since *S.R. Bommai*, imposed a genuine limitation on the method of delimitation. It was not the counting of heads that posed a constitutional threat but the method of counting, the discretionary use of an outdated census to political gain, the suddenness of redistribution without expansion, and the weakening of federal checks that gave the disadvantaged States, svoice.⁴⁰ Measured against this standard, the 2026 proposals are vulnerable less for embracing demographic representation than for the discretion they vest in a simple majority over the demographic baseline and for their dilution of federal safeguards.

The basic structure doctrine, true to its origin in *Kesavananda Bharati*, does not freeze any particular distribution of seats; it protects the essential identity of federalism and democracy alike.⁴¹ A delimitation built on the latest census, enlarging the House so that no State loses in absolute terms, tempered where necessary by degressive proportionality, and accompanied by strengthened federal institutions, would satisfy that doctrine and reconcile the two values it protects. The constitutional question, in the end, is answered not by choosing democracy over federalism or the reverse, but by designing an exercise faithful to both. Whether the Republic’s political branches possess the will to design it so is the genuine test that the first census after 2026 will set.

³⁶INDIA CONST. art. 81, cl. 2; see *Delimitation Is Becoming a Battle for Power*, TIMES OF INDIA (canvassing degressive proportionality and global precedents for tempering numerical equality).

³⁷*S.R. Bommai v. Union of India*, (1994) 3 S.C.C. 1 (India).

³⁸See *Delimitation Must Not Derail Polity*, DECCAN HERALD (urging a transparent and inclusive process that respects both “one person, one vote” and the federal nature of the polity).

³⁹INDIA CONST. art. 82; *Kihoto Hollohan v. Zachillhu*, A.I.R. 1993 S.C. 412 (India).

⁴⁰*S.R. Bommai v. Union of India*, (1994) 3 S.C.C. 1 (India); see *Why Cabinet’s Proposed Delimitation Amendment Violates Constitutional Compact*, LIVELAW (Apr. 16, 2026).

⁴¹*Kesavananda Bharati v. State of Kerala*, (1973) 4 S.C.C. 225 (India).

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