

Bill Summary

The Election Laws (Amendment) Bill, 2016

- The Election Laws (Amendment) Bill, 2016 was introduced in Lok Sabha by the Minister for Law and Justice, Mr. D. V. Sadananda Gowda, on February 24, 2016. It seeks to amend the Representation of the People Act, 1950 and the Delimitation Act, 2002. These Acts regulate allocation of seats to the national and state legislatures, and delimitation (i.e., fixing boundaries) of parliamentary and assembly constituencies.
- According to the Statement of Objects and Reasons, the Bill aims to empower the Election Commission to carry out delimitation in areas that were affected by the enactment of the Constitution (100th Amendment) Act, 2015. Under the 2015 Act, enclaves were exchanged between India and Bangladesh. Enclaves are territories belonging to one country that are entirely surrounded by another country. India transferred 111 enclaves to Bangladesh, and received 51 enclaves from Bangladesh on July 31, 2015.
- The 1950 and 2002 Acts provide the Election Commission the responsibility to maintain up-to-date delimitation orders. Delimitation orders specify the boundaries of territorial constituencies. This responsibility includes: (i) correcting printing mistakes and inadvertent errors, and (ii) making necessary amendments if the name of any territorial division mentioned in the delimitation order has been altered.
- The Bill amends the Acts in order to give additional powers and responsibilities to the Election Commission. It states that the Election Commission may amend the delimitation order to: (i) exclude from the relevant constituencies the Indian enclaves that were transferred to Bangladesh, and (ii) include in the relevant constituencies the Bangladeshi enclaves that were transferred to India.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.