



# CURRENT AFFAIRS



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## DELIMITATION AND RESERVATION BILLS OF JAMMU KASHMIR

*This article covers "Daily Current Affairs" and the topic details " Delimitation and Reservation Bills of Jammu Kashmir". This topic has relevance in the Polity and Governance section of the UPSC CSE exam.*

*GS 2: Polity and Governance*

### Why in the news?

Recently, the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023, and the Jammu and Kashmir Reservation (Amendment) Bill, 2023 were approved by the Lok Sabha.

### Background:

In the historical context of the erstwhile state of Jammu and Kashmir, the process of delimitation for Lok Sabha seats adhered to the Indian Constitution, while the delimitation of Assembly seats operated independently under the Jammu and Kashmir Constitution. However, a significant turning point occurred on August 5, 2019, with the abrogation of Article 370, leading to Jammu and Kashmir losing its special status and being reconstituted as a Union Territory.

Subsequently, in March 2020, the Union government established a Delimitation Commission tasked with delimitation in Jammu and Kashmir and four northeastern states—Assam, Manipur, Arunachal Pradesh, and Nagaland. Initially set to conclude within a year, the Commission faced delays due to the global COVID-19 pandemic, resulting in a one-year extension.

The culmination of the delimitation process saw the publication of orders by the Delimitation Commission regarding the restructuring of assembly and parliamentary constituencies in Jammu and Kashmir. This restructuring was further reinforced through the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023, which played a pivotal role in shaping the new political landscape of the region.

### Delimitation Orders and Legislative Changes:

- The completion of delimitation resulted in increased legislative assembly seats from 107 to 114 through the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023.

### Jammu and Kashmir Reorganisation (Amendment) Bill, 2023:

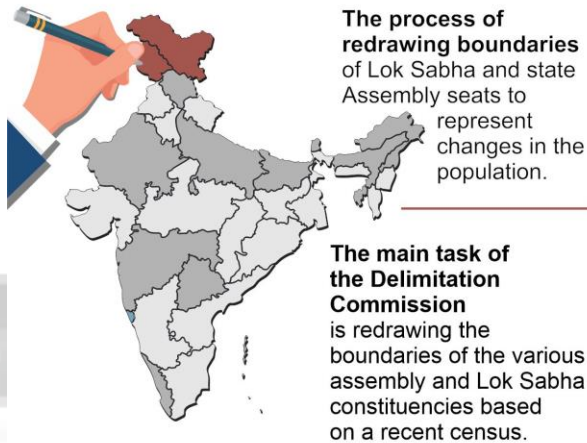
- Introduced in Lok Sabha in July 2023, the bill amends the Jammu and Kashmir Reorganisation Act, 2019.
- The Act initially reorganizes Jammu and Kashmir into the Union Territories of Jammu and Kashmir (with legislature) and Ladakh (without legislature).

## Key Features:

- **Legislative Assembly Seats:**
  - The 2019 Act set the Jammu and Kashmir Legislative Assembly seats at 83; the amendment increases this to 90.
  - Reserves 7 seats for Scheduled Castes and 9 seats for Scheduled Tribes based on the Delimitation Commission's report.
- **Nomination of Kashmiri Migrants:**
  - The Lieutenant Governor may nominate up to 2 members from the Kashmiri migrant community to the Legislative Assembly, with one being a woman.
  - Defines migrants and includes those not registered due to various circumstances.
- **Nomination of Displaced Persons:**
  - The Lieutenant Governor may nominate 1 member representing displaced persons from Pakistan-occupied Jammu and Kashmir, including successors-in-interest.
  - Specifies criteria for defining displaced persons based on historical events.

## What is Delimitation

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In the process, the **number of seats allocated** to states in Lok Sabha or in the Legislative Assembly may also change



It also **reserves Assembly seats** for Scheduled Castes (Scs) and Scheduled Tribes (Sts) in accordance with the Constitution



## **Jammu and Kashmir Reservation (Amendment) Bill, 2023:**

- Introduced in Lok Sabha in July 2023, this bill amends the Jammu and Kashmir Reservation Act, 2004.

### **Key Features:**

- **Socially and Educationally Backward Classes:**
  - Original Act included people residing in specified areas and weak and underprivileged classes.
  - The amendment substitutes weak and underprivileged classes with other backward classes as declared by the UT of Jammu and Kashmir, removing the original definition
- **Commission Recommendations:**
  - The government may make inclusions or exclusions from the category of weak and underprivileged classes based on Commission recommendations.
  - The Bill deletes the definition of weak and underprivileged classes from the Act.

**Source:**

[JK Reorganisation \(Amendment\) Bill, JK Reservation \(Amendment\) Bill passed by Lok Sabha- The New Indian Express](#)

**Q.1 With reference to the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023, consider the following statements:**

1. The amendment increases Jammu and Kashmir Legislative Assembly seats from 83 to 90, with reserved seats for Scheduled Castes and Scheduled Tribes.
2. The Lieutenant Governor can nominate up to 2 members from the Kashmiri migrant community to the Legislative Assembly.

**Which of the statements given above is/are correct?**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**ANSWER: B**

**Q.2 Discuss the socio-political and constitutional implications of the abrogation of Article 370 in Jammu and Kashmir. Critically assess the challenges and opportunities arising from the integration of Jammu and Kashmir into the Union of India.**

**Rishabh**