

To Be Published in an Extraordinary Issue of  
The Gazette of India, Part II Section 3 (iii) Dated  
14<sup>th</sup> March, 2022.  
To be published In an Extraordinary Issue of  
the Union Territory of Jammu & Kashmir  
Gazette Dated. 14<sup>th</sup> March, 2022.

# DELIMITATION COMMISSION

Ashoka Hotel, 50-B, Niti Marg, Chanakyapuri, New Delhi-110021.

No,282/J&K/2022(Vol.II)

Dated : 14<sup>th</sup> March 2022  
23 Phalguna, 1943 (Saka)

## ORDER NO - 1

In pursuance of Section 8 of the Delimitation Act, 2002 (33 of 2002) read with Sections 14(4), 60(1) & 62 of The Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) and having regard to all other relevant Constitutional and statutory provisions in this regard, the Delimitation Commission hereby determines –

- a) the total number of seats to be allocated to the Union Territory of Jammu & Kashmir in the House of the People as Five (5);
- b) of the total number of Five (5) seats so allocated to the Union Territory of Jammu & Kashmir in the House of the People, the number of seats to be reserved for the Scheduled Castes and Scheduled Tribes as Zero (0) and Zero (0) respectively;
- c) the total number of seats to be assigned to the Legislative Assembly of the Union Territory of Jammu & Kashmir as Ninty (90);
- d) of the total number of Ninty (90) seats so assigned to the Legislative Assembly of the Union Territory of Jammu & Kashmir, the number of seats to be reserved for the Scheduled Castes and the Scheduled Tribes as Seven (7) and Nine (9) respectively.

By Order,

(K.N. Bhar)  
SECRETARY

To Be Published in an Extraordinary Issue of The Gazette of India, Part II Section 3 (iii) Dated

To be published In an Extraordinary Issue of the Union Territory of Jammu & Kashmir Gazette Dated

# DELIMITATION COMMISSION

Ashoka Hotel, 50-B, Niti Marg, Chanakyapuri, New Delhi-110021

No.282/J&K/2022(Vol.II)

Dated : 14<sup>th</sup> March, 2022  
23, Phalguna 1943 (Saka)

## NOTIFICATION

In pursuance of sub-section (5) of Section 60 of The Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), read with sub section 2 of section 9 of the Delimitation Act, 2002, the Delimitation Commission hereby publishes its proposals for the delimitation of Parliamentary and Assembly Constituencies in the Union Territory of Jammu & Kashmir, together with the dissenting proposals of the Associate Members, and specifies **21<sup>st</sup> March, 2022 (Monday)** as the date on or after which the proposals will be further considered by it.

2. Any objections or suggestions in regard to these proposals should reach the **Secretary, Delimitation Commission, Nirvachan Sadan, Ashoka Road, New Delhi-110001**, on or *before* the said date.

## PROPOSALS

- (i) The territorial constituencies into which the Union Territory of Jammu & Kashmir shall be divided for the purpose of elections to (a) the Legislative Assembly of the Union Territory, and (b) the House of the People, the extent of each such constituency and the constituencies in which the seats are reserved for the Scheduled Castes and Scheduled Tribes shall be as shown in the **Table-A and Table-B** respectively;
- (ii) Where the name of a constituency as shown in Table A or Table B is distinguished by the brackets and letters **(SC)**, the seat in that constituency is reserved for the Scheduled Castes;
- (iii) Where the name of a constituency as shown in Table A or Table B is distinguished by the brackets and letters **(ST)**, the seat in that constituency is reserved for the Scheduled Tribes.

**(Here print the matter attached)**

By Order,

(K.N. Bhar)  
SECRETARY

**TABLE-A**  
**ASSEMBLY CONSTITUENCIES AND THEIR PROPOSED EXTENT**

S.No.	Name of Assembly Constituency	Extent
<b>1-DISTRICT : KUPWARA</b>		
1	Karnah	Karnah Tehsil and <b>Kralpora Tehsil (Part)</b> – Gundzонаreshi and Panzgam PCs.
2	Trehgam	Trehgam and Keran Tehsils, <b>Kralpora Tehsil (Part)</b> –Excluding Gundzонаreshi and Panzgam PCs and <b>Kupwara Tehsils (Part)</b> -3-Gulgam and 4-Awoora PCs.
3	Kupwara	<b>Kupwara Tehsil (Part)</b> – Excluding 3-Gulgam and 4-Awoora PCs.
4	Lolab	Sogam (Lolab), Lalpora and Machil Tehsils.
5	Handwara	Vilgam, Dragmulla, Zachaldara and Tarathpora (Ramhal) Tehsils and <b>Handwara (Part)</b> – Bakaiaker, Handwara, Shoghpora, Wadipora. Sirajapora and Badkote Machipora PCs.
6	Langate	Qaziabad (Kralgund), Langate and Qalamabad Tehsils and <b>Handwara (Part)</b> – Excluding Bakaiaker, Handwara, Shoghpora, Wadipora. Sirajapora and Badkote Machipora PCs.
<b>2-DISTRICT : BARAMULLA</b>		
7	Sopore	Sopore and Dangerpora Tehsils.
8	Rohama Rafiabad	Zainger, Watergam, Rohama and Dongiwacha Tehsils.
9	Uri	Uri and Boniyar Tehsils.
10	Baramulla	Narvaw and Baramulla Tehsils.
11	Tangmarg	Tangmarg, Wagoora, Kreeri and Khoie Tehsils.

12	Kunzer	Kwarhama and Kunzer Tehsils, <b>Pattan Tehsil (Part)</b> - 6- Wanigam Payeen, 7- Wanigam Bala, 8–Tilgam and 9- Tapper Waripora PCs.
13	Pattan	Singpora Tehsil and <b>Pattan Tehsil (Part)</b> – Excluding 6- Wanigam Payeen, 7- Wanigam Bala, 8 –Tilgam and 9- Tapper Waripora PCs.
<b>3-DISTRICT : BANDIPORA</b>		
14	Sonawari	Sonawari Tehsil, Sumbal Municipality 2 (Urban Local Body), Ajas Tehsil, HajinTehsil and Hajin Municipality 3 (Urban Local Body).
15	Bandipora	Aloosa and Bandipora Tehsils and Bandipora Municipality 1 (Urban Local Body).
16	Gurez (ST)	Gurez and Tulail Tehsils.
<b>4-DISTRICT : GANDERBAL</b>		
17	Kangan (ST)	Kangan and Gund Tehsils, Forest Block Kangani Gund and <b>Lar Teshil (Part)</b> – Watlar PC.
18	Ganderbal	Tulmulla (Kheer Bhawani), Wakoora and Ganderbal Tehsils and <b>Lar Teshil (Part)</b> – Excluding Watlar PC.
<b>5-DISTRICT : SRINAGAR</b>		
19	Hazratbal	North Srinagar Tehsil.
20	Khanyar	<b>Khanyar Tehsil (Part)</b> - Excluding 9- S.R. Gunj and 10- Brari Nambal PCs.
21	Habbakadal	<b>South Srinagar Tehsil (Part)</b> - Excluding 1-Sonwar, 2- Maisuma, 4- Shivpora, 5- Kursoo Padshahi Bagh, 9- Naursingh Garh and 10- Barzulla PCs and <b>Khanyar Tehsil (Part)</b> - 9- S.R. Gunj and 10- Brari Nambal PCs.
22	Sonwar	Pantha Chowk Tehsil and <b>South Srinagar Tehsil (Part)</b> – 1- Sonwar, 2- Maisuma, 4- Shivpora, 5- Kursoo Padshahi Bagh, 9- Naursingh Garh and 10- Barzulla PCs.

23	Channapora	Channapora Tehsil.
24	Zoonimar	<b>Eidgah Tehsil (Part)</b> – 1- Buchpora, 2- Umerhair, 3- Zoonimar, 4- Owanta Bawan, 5- Baghat Shooru and 6- Anchar PCs.
25	Eidgah	<b>Eidgah Tehsil (Part)</b> –Excluding 1- Buchpora, 2- Umerhair, 3- Zoonimar, 4- Owanta Bawan, 5- Baghat Shooru and 6- Anchar PCs.
26	Central Shalteng	Central Shalteng Tehsil.
<b>6- DISTRICT : BUDGAM</b>		
27	Budgam	Narbal Tehsil and <b>Budgam Tehsil (Part)</b> –Excluding Ichkoot and Gudsathoo PCs.
28	Beerwah	Magam and Beerwah Tehsils.
29	Khansahib	Khag and Khansahib Tehsils.
30	Chrar-i-Sharief	Chrar-i-Sharief Tehsil and <b>Chadoora Tehsil (Part)</b> –Excluding 2- Ropora Namtihal, 3-Wathoor, 4- Batapora, 5- Dawletpora, 6-Wadipora, 14- Hayatpora PCs, Municipal Committee Chadoora, <b>Budgam Tehsil (Part)</b> – Ichkoot and Gudsathoo PCs.
31	Chadoora	B.K. Pora Tehsil and <b>Chadoora Tehsil (Part)</b> – 2- Ropora Namtihal, 3-Wathoor, 4-Batapora, 5- Dawletpora, 6- Wadipora, 14- Hayatpora PCs and Municipal Committee Chadoora.
<b>7-DISTRICT : PULWAMA</b>		
32	Pampore	Pampore and Kakapora Tehsils, Pampore Municipality / Town and Khrew Municipality / Town.
33	Tral	Tral and Aripal Tehsils, Tral Municipality / Town, <b>Awantipora Tehsil (Part)</b> –1- Awantipora, 5- Noorpora and 6- Midoora PCs and Awantipora Municipality / Town.
34	Pulwama	<b>Pulwama Tehsil (Part)</b> – Excluding 2- Kangan, 5- Murran, 6- Mitrigam, 7- Karimabad, 11- Bunoora and 16- Wahibugh PCs, Pulwama Municipality / Town, <b>Awantipora Tehsil (Part)</b> – Excluding 1- Awantipora, 5- Noorpora and 6- Midoora PCs.
35	Rajpora	Litter Shahoora Tehsil, Rajpora Tehsil, <b>Pulwama Tehsil (Part)</b> – 2- Kangan, 5- Murran, 6- Mitrigam, 7- Karimabad, 11- Bunoora and 16- Wahibugh PCs.

<b>8-DISTRICT : SHOPIAN</b>		
36	Zainapora	Zainapora, Chitragam, Barbugh Imamsahib and Hermain Tehsils, <b>Shopian Tehsil (Part)</b> – Dangerpora, Trenz, Kilora Malikgund, Nadigam, Ganowpora Arsh, Dangam, Pratabpora and Bemnipora PCs.
37	Shopian	Keller and Keegam Tehsil , <b>Shopian Tehsil (Part)</b> - Excluding – Dangerpora, Trenz, Kilora Malikgund, Nadigam, Ganowpora Arsh, Dangam, Pratabpora and Bemnipora PCs.
<b>9- DISTRICT : KULGAM</b>		
38	D.H. Pora	D.H. Pora and Pahloo Tehsils.
39	Kulgam	Kulgam and Yaripora Tehsils.
40	Devsar	Qaimoh, Frisal and Devsar Tehsils.
<b>10-DISTRICT : ANANTNAG</b>		
41	Dooru	Dooru and Shahabad Tehsils, <b>Kokernag Tehsil (Part)</b> – Bahie, Oie Bumdoora, Akingam, Sagam and Nagam PCs.
42	Kokernag (ST)	Lernoo Tehsil, <b>Kokernag Tehsil (Part)</b> –Excluding Bahie, Oie Bumdoora, Akingam, Sagam and Nagam PCs and <b>Shangus Tehsil (Part)</b> – Chaklipora, Chittergul and Uttarsoo PCs.
43	Anantnag West	Qazigund Tehsil, <b>Anantnag Tehsil (Part)</b> – C- Khanabal, E- Ruhoo, F- Urhanhall, G- L.G. Pora, H- Khandipahari, I- K.G. Raina, J- Nipora, K- Hardu Sichaen, L- Kamad, M- Shaibabad and N- Imoh PCs.
44	Anantnag	<b>Anantnag Tehsil (Part)</b> – Excluding C- Khanabal, E- Ruhoo, F- Urhanhall, G- L.G. Pora, H- Khandipahari, I- K.G. Raina, J- Nipora, K- Hardu Sichaen, L- kamad, M- Shaibabad and N- Imoh PCs.
45	Bijbehra	Bijbehra Tehsil
46	Shangus-Anantnag East	Anantnag East Tehsil, <b>Shangus Tehsil (Part)</b> – Excluding Chaklipora, Chittergul and Uttarsoo PCs.
47	Pahalgam	Pahalgam, Sallar and Srigufwara Tehsils.

<b>11-DISTRICT : KISHTWAR</b>		
48	Inderwal	Bounjwah, Chhatroo, Marwah and Warwan Tehsils, <b>Kishtwar Tehsil (Part)</b> – Keshwan PC, <b>Mughalmaidan Tehsil (Part)</b> – Excluding Mulchiter PC and <b>Drabshalla Tehsil (Part)</b> – Balgran PC.
49	Kishtwar	<b>Dachhan Tehsil, Drabshalla Tehsil (Part)</b> - Excluding Balgran PC and <b>Kishtwar Tehsil (Part)</b> – Excluding Dool, Pocchal and Keshwan PCs and <b>Mughalmaidan Tehsil (Part)</b> – Mulchiter PC.
50	Padder	Atholi, Nagseni and Machail Tehsils, <b>Kishtwar Tehsil (Part)</b> – Dool and Pocchal PCs.
<b>12-DISTRICT : DODA</b>		
51	Bhaderwah	Bhaderwah, Chiralla, Bhella and Bhalla Tehsils, <b>Kahara Tehsil (Part)</b> – Joura PC, <b>Bhalesa Tehsil (Part)</b> – Excluding Chilly PC and <b>Thathri Tehsil (Part)</b> – Excluding Janglawar Partially PC.
52	Doda	Chilly Pingal, Gundna, Mohalla, Phigsoo and Bharath Bagla Tehsils, <b>Doda Tehsil (Part)</b> –Doda, Arnorra, Dhar, Doda MC, Udhyanpur (Partially) and Dhara PCs, <b>Thathri Tehsil (Part)</b> – Janglawar Partially, <b>Kahara Tehsil (Part)</b> – Excluding Joura PC and <b>Bhalesa Tehsil (Part)</b> – Chilly PC.
53	Doda West	Marmat, Assar, Kastigarh and Bhagwah Tehsils, <b>Doda Tehsil (Part)</b> –Excluding Doda, Arnorra, Dhar, Doda MC, Udhyanpur (Partially) and Dhara PCs.
<b>13-DISTRICT : RAMBAN</b>		
54	Ramban	Batote and Rajgarh Tehsils <b>Ukhral Tehsil (Part)</b> – Excluding Pogal PC, <b>Ramban Tehsil (Part)</b> – Excluding Somber- Harog PC.
55	Banihal	Banihal, Khari, Gool and Ramsoo Tehsil, <b>Ukhral Tehsil (Part)</b> – Pogal PC, <b>Ramban Tehsil (Part)</b> – Somber- Harog PC.

<b>14-DISTRICT : REASI</b>		
56	Mahore (ST)	Mahore and Chassana Tehsils, <b>Thuroo Tehsil (Part)</b> – Excluding Kanthi PC.
57	Reasi	Pouni, Thakrakote and Arnas Tehsils, <b>Reasi Tehsil (Part)</b> – Excluding Bhabar Brahmana, Bhaga Kotli and Kotli Bajalian PCs and <b>Thuroo Tehsil (Part)</b> – Kanthi PC.
58	Shri Mata Vaishno Devi	Katra and Bhomag Tehsils, <b>Reasi Tehsil (Part)</b> – Bhabar Brahmana, Bhaga Kotli and Kotli Bajalian PCs.
<b>15-DISTRICT : UDHAMPUR</b>		
59	Udhampur West	Moungri and Panchari Tehsils, <b>Udhampur Tehsil (Part)</b> – Sambal, Barrian, Jib, Rehmbal, Padanoo, Barolla, Hartarian, Muttal, Chak Rakhwalan, Mali, Bishal Jattan, Udhampur Municipal Council, Mansar, Krimchi, Tirshi, Debriah, Samundrani, Chakher, Sial Jattan, Kotli Jijan, Mangiote, Tope, Sangoor and Sansoo PCs.
60	Udhampur East	Majalta Tehsil, <b>Udhampur Tehsil (Part)</b> – Excluding Sambal, Barrian, Jib, Rehmbal, Padanoo, Barolla, Hartarian, Muttal, Chak Rakhwalan, Mali, Bishal Jattan, Udhampur Municipal Council, Mansar, Krimchi, Trishi, Debriah, Samundrani, Chakher, Sial Jattan, Kotli Jijan, Mangiote, Tope, Sangoor, Sansoo, Bali, Manta, Ladha, Samroli, Chirdi, Jakhain, Ossu, Pakhlai, Omala and Laddan PCs and <b>Ramnagar Tehsil (Part)</b> – Kogarmarh PC.
61	Chenani	Chenani Tehsil, <b>Latti Tehsil (Part)</b> – Pachound, Latti and Sira PCs, <b>Ramnagar Tehsil (Part)</b> – Ghordi, Nallah Ghouran, Hartaryan, Dhandhal and Barmeen Pcs and <b>Udhampur Tehsil (Part)</b> – Bali, Manta, Ladha, Samroli, Chirdi, Jakhain, Ossu, Pakhlai, Omala and Laddan PCs.
62	Ramnagar (SC)	Basantgarh Tehsil, <b>Ramnagar Tehsil (Part)</b> – Excluding Ghordi, Nallah Ghouran, Hartaryan, Dhandhal, Kogarmarh and Barmeen PCs.and <b>Latti Tehsil (Part)</b> – Excluding Pachound, Latti and Sira PCs.



<b>16-DISTRICT : KATHUA</b>		
63	Bani	Bani and Lohai Malhar Tehsils.
64	Billawar	Billawar and Ramkot Tehsils.
65	Basohli	Basohli and Mahanpur Tehsils, <b>Kathua Tehsil (Part)</b> – 2- Basantpur and 27- Thein PCs.
66	Kathua North	Dinga Amb Tehsil, <b>Kathua Tehsil (Part)</b> – 1- Barwal, 3- Bhurthain, 4- Budhi, 5- Chak Sakta, 9- Forelain, 11- Hatli, 14- Juthana, 15- Kathera, 19- Logate, 21- Nanan, 22- Phalote, 26- Taraharah and 28- Tridwan PCs and <b>Marheen Tehsil (Part)</b> – 1- Amala, 2- Balhar, 3- Bann, 4- Chhan Rorian, 5- Dhamal. 14- Hamirpur, 15- Jogial, 17- Kishanpur Kandi, 23- Muthi Hardo and 26- Seswan PCs.
67	Kathua South (SC)	Nagri Tehsil and <b>Kathua Tehsil (Part)</b> – Excluding 1- Barwal, 3- Bhurthain, 4- Budhi, 5- Chak Sakta, 9- Forelain, 11- Hatli, 14- Juthana, 15- Kathera, 19- Logate, 21- Nanan, 22- Phalote, 26- Taraharah, 28- Tridwan 2- Basantpur and 27- Thein PCs.
68	Hiranagar	Hiranagar and <b>Marheen Tehsil (Part)</b> – Excluding 1- Amala, 2- Balhar, 3- Bann, 4- Chhan Rorian, 5- Dhamal. 14- Hamirpur, 15- Jogial, 17- Kishanpur Kandi, 23- Muthi Hardo and 26- Seswan PCs.
<b>17-DISTRICT : SAMBA</b>		
69	Ramgarh (SC)	Ramgarh and Rajpura Tehsils and <b>Samba (Part)</b> – Katli, Ramnagar and Pangdhor PCs.
70	Samba	Ghagwal Tehsil, <b>Samba Tehsil (Part)</b> – Excluding Katli, Ramnagar and Pangdhor PCs and <b>Vijaypur Tehsil (Part)</b> – Dagore and Gurah Salathia PCs.
71	Vijaypur	Bari Brahmna Tehsil and <b>Vijaypur Tehsil (Part)</b> – Excluding Dagore and Gurah Salathia PCs.

<b>18-DISTRICT : JAMMU</b>		
72	Bishnah (SC)	Bishnah and Arnia Tehsils, <b>R.S. Pura Tehsil (Part)</b> – Maralian PC.
73	Suchetgarh (SC)	Suchetgarh Tehsil, <b>R.S. Pura Tehsil (Part)</b> – Excluding Maralian, Darsopur, R.S. Pura Khas and Kotli Shah Doula PCs, MC R.S. Pura.
74	R.S. Pura-Jammu South	<b>Jammu South Tehsil (Part)</b> – Gadigarh, Satwari, Hakkal Partly, Khandwal Partly and Digiana PCs, <b>Jammu Municipal Corporation (Part)</b> – Ward no. 22, 23, 55, 56, 57, 58 and 73, <b>Bahu (Part)</b> - Chowadi PC, Ward no. 68, 69 & 70 and <b>R.S. Pura Tehsil (Part)</b> – Darsopur, R.S. Pura Khas and Kotli Shah Doula PCs, MC R.S. Pura.
75	Bahu	<b>Bahu Tehsil (Part)</b> – Bahu, Sunjwan and Bahu Partly PCs including JMC Ward no. 20, 21, 42, 43,44, 47,48, 49, 50, 51, 52, 53, 54 & 74 and <b>Jammu South Tehsil (Part)</b> – Ward no. 45 & 46, Jammu Cantt.
76	Jammu East	<b>Jammu Tehsil (Part)</b> – Bain Bajal and Aitham PCs, <b>Nagrota Tehsil (Part)</b> – Jagti PC and <b>Jammu MC (Part)</b> – Ward No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14,15, 16, 17, 18, 19 & 71.
77	Bhalwal - Nagrota	Dansal Tehsil, <b>Bhalwal Tehsil (Part)</b> – Excluding Bhalwal Partially PC and Kote PC, <b>Nagrota Tehsil (Part)</b> – Excluding Jagti PC <b>Jammu Tehsil (Part)</b> – Surinsar, Sagoon and Pounthal PCs.
78	Jammu West	<b>Jammu Municipal Corp. (Part)</b> – Ward No.- 12, 13 , 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 39, 40 & 41and <b>Jammu West (Part)</b> – Mandal (Partly) and Gole PCs.
79	Jammu North	Jammu North Tehsil including JMC Ward No. 37, 38, 59 to 67 <b>Jammu (Part)</b> – Ward no. 34 to 36 and <b>Bhalwal Tehsil (Part)</b> – Bhalwal Partially and Kote PCs.
80	Marh (SC)	Mandal Tehsil, Marh Tehsil including JMC Ward No. – 72 & 75, <b>Jammu West Tehsil(Part)</b> – Badhrore PC.
81	Akhnoor (SC)	Akhnoor, Pargwal and Jourian Tehsils.
82	Khour	Khour, Kharah Balli, Maira Mandrian and Chowki Choura Tehsils.

<b>19-DISTRICT : RAJOURI</b>		
83	Kalakote / Sunderbani	Sunderbani, Kalakote, Taryath and Siot Tehsils.
84	Nowshera	Qila Darhal, Beri Pattan and Nowshera Tehsils.
85	Rajouri (ST)	<b>Rajouri Tehsil (Part)</b> – Excluding 11- Sohna PC.
86	Darhal (ST)	Darhal, Koteranka and Khawas Tehsils.
87	Thana Mandi (ST)	Thana Mandi and Manjakote Tehsils, <b>Rajouri Tehsil (Part)</b> – 11- Sohna PC.
<b>20-DISTRICT : POONCH</b>		
88	Suran Kote (ST)	Suran Kote Tehsil, <b>Haveli Tehsil (Part)</b> – Khaneter, Seri Khawaja and Seindhara PCs.
89	Poonch Haveli	Mandi Tehsil, <b>Haveli Tehsil (Part)</b> – Excluding Khaneter, Seri Khawaja and Seindhara PCs.
90	Mendhar (ST)	Balakote, Mankote and Mendhar Tehsils.

**TABLE – B**  
**PARLIAMENTARY CONSTITUENCIES AND THEIR PROPOSED EXTENT**

<b>S.No. and Name of Parliamentary Constituency</b>	<b>EXTENT IN TERMS OF ASSEMBLY CONSTITUENCY</b>
1-Baramulla	1-Karnah, 2-Trehgam, 3-Kupwara, 4-Lolab, 5-Handwara, 6-Langate, 7-Sopore, 8-Rohama Rafiabad, 9-Uri, 10-Baramulla, 11-Tangmarg, 12-Kunzer, 13-Pattan, 14-Sonawari, 15-Bandipora, 16-Gurez (ST), 27-Budgam & 28-Beerwah.
2-Srinagar	17-Kangan (ST), 18-Ganderbal, 19-Hazratbal, 20-Khanyar, 21-Habbakadal, 22-Sonwar, 23-Channapora, 24-Zoonimar, 25-Eidgah, 26-Central Shalteng, 29-Khansahib, 30-Chrar-i-Sharief, 31-Chadoora, 32-Pampore, 33-Tral, 34-Pulwama, 35-Rajpora & 37-Shopian.
3-Anantnag-Rajouri	36-Zainapora, 38-D.H. Pora, 39-Kulgam, 40-Devsar, 41-Dooru, 42-Kokernag (ST), 43-Anantnag West, 44- Anantnag, 45-Bijbehra, 46- Shangus-Anantnag East 47-Pahalgam, , 84-Nowshera, 85 – Rajouri (ST) 86 –Darhal (ST), 87 –Thana Mandi (ST), 88 –Suran Kote (ST), 89-Poonch Haveli (ST) & 90-Mendhar (ST).

4-Udhampur	48-Inderwal, 49-Kishtwar, 50-Padder,51- Bhaderwah 52-Doda, 53- Doda West, 54-Ramban, 55-Banihal, 59-Udhampur West, 60-Udhampur East, 61-Chenani, 62-Ramnagar (SC), 63-Bani, 64-Billawar, 65-Basohli, 66-Kathua North 67- Kathua South (SC) & 68-Hiranagar.
5-Jammu	56-Mahore (ST), 57-Reasi, 58-Shri Mata Vaishno Devi, 69-Ramgarh (SC), 70-Samba, 71-Vijaypur, 72-Bishnah (SC) 73-Suchetgarh (SC), 74-R.S. Pura - Jammu South. 75-Bahu, 76-Jammu East, 77-Bhalwal-Nagrota, 78-Jammu West, 79-Jammu North, 80-Marh (SC), 81-Akhnoor (SC), 82-Khour & 83-Kalakote / Sunderbani.

## **DISSENTING PROPOSALS RECEIVED FROM ASSOCIATES MEMBERS**

{1}

### **Hon'ble Chairperson and Hon'ble Members**

Delimitation Commission of India

Ashoka Hotel, 3rd Floor Chanakyapuri, New Delhi - 110021

### **SUBJECT**

Delimitation of Parliamentary and Assembly Constituencies in respect of UT of Jammu & Kashmir. Draft Working Papers/Draft Proposal dated February 25<sup>th</sup> February, 2022 made available on February 26<sup>th</sup>, 2022.

### **IN THE MATTER OF**

Dissenting Proposal / Objections to Draft Working Papers/Draft Proposal dated February 25<sup>th</sup> February, 2022 made available on February 26<sup>th</sup>, 2022.

### **BACKGROUNDFACTS**

1. To understand objection to the very constitution of Delimitation Commission for Delimitation of Parliamentary and Assembly Constituencies in respect of UT of Jammu and Kashmir and to the Delimitation exercise undertaken by the Commission, a closer look at its recent history and background facts is necessary.
2. The State of Jammu and Kashmir (now downgraded to a UT under a constitutionally suspect law impugned before Hon'ble Supreme Court) was on 15th August 1947, free from its Treaty obligations towards British and acquired status of an independent State. Its Ruler called Maharaja was repository of all legislative, executive and judicial powers under the Jammu and Kashmir Constitution Act, 1939. The Ruler did not join either of the two Dominions emerging on 15th August 1947 and instead nursed idea to stay independent with good relations with the both. He, however, on 27th October 1947 decided to accede to the Dominion of India on three subjects – defense, foreign affairs and communications, retaining jurisdiction over all the remaining subjects. The

accession was accepted and so were the terms set out in the Instrument of Accession. The Constitution of India was in making and it was decided to incorporate in the Constitution, a provision to guarantee 'limited sovereignty' to Jammu & Kashmir promised while accepting accession. The constitutional guarantee came in shape of Article 370 of the Constitution. The Ruler on 17th November 1949 ratified the Constitution of India though only to the extent applicable to the State. Pertinent to note that on the date, the Constitution commenced only Article 370 and by virtue of it, Article 1 were applicable to the State. The Article 370 while laying down mechanism for distribution of powers between Union and State Governments also provided for a constituent assembly to draft separate constitution for the State, to inter alia delineate the jurisdiction of Union and State governments.

3. The State Constituent Assembly was convened in April 1951. However, a few urgent constitutional matters like citizenship, monarchy, fundamental rights, residuary powers could not wait drafting and commencement of the State Constitution and required immediate resolution. The Union Government and State Government accordingly entered into an agreement known as Delhi Agreement in 1952 dealing with all these important matters. The Delhi Agreement was approved by the Parliament on 7th August 1952 and the State Constituent Assembly on 18th August 1952. The Agreement while extending citizenship, fundamental rights, jurisdiction Supreme Court, Emergency Powers etc. guaranteed residuary sovereignty or internal autonomy to the State. The State was guaranteed jurisdiction to legislate on all subjects not conceded to the Union. The Article 370 thus alone did not guarantee special constitutional status to Jammu and Kashmir but the special status or internal autonomy to Jammu and Kashmir was independent of Article 370 also guaranteed by Delhi Agreement 1952. The Constituent Assembly adopted the State Constitution on 26th November 1956. It came into force on 26th January 1957. The commencement of State Constitution was hailed by senior political leaders across the political spectrum. The State Constitution reiterated and provided for internal autonomy also known as special constitutional status to Jammu and Kashmir.

4. The Delimitation of Assembly Constituencies under the mechanism evolved to govern constitutional relations between Union and State fell within exclusive domain of the State. The Part VI of the State Constitution deals with "The State Legislature - Composition of The State Legislature". Section 47(3) of the State Constitution reads: 47(1).....(2).....(3) Upon the completion of each census, the number, extent and boundaries of the territorial constituencies shall be readjusted by such authority and in such manner as the Legislature may by law determine; Provided that such readjustment shall not affect representation in the Legislative Assembly until the dissolution of the then existing Assembly.
5. The State Legislature in exercise of powers under Section 47 of the State Constitution enacted Jammu and Kashmir Representation of Peoples Act 1957. The Act provided for constitution of Delimitation Commission for Delimitation of the territorial constituencies upon completion of each census. In exercise of powers under the Jammu and Kashmir Representation of Peoples Act, 1957 the Delimitation Commission was constituted in 1963, 1973 and 1995, the Delimitation exercised made and Assembly seats delimited. In wake of amendment to Article 170 and addition of Proviso providing that the delimitation of Assembly Constituencies is not to be undertaken "until the figures for first census taken after the year 2026 have been published" identical amendment was made to State Constitution followed by amendment to Section 3 of the Jammu and Kashmir Representation Act, 1957. The delimitation exercise was thus like rest of country to be undertaken after 2031 census figures were available.
6. The President on 5th August 2019 passed The Constitutional (Application to Jammu and Kashmir) Order C.O. 272 superseding the Constitution (Application to Jammu and Kashmir) Order 1954 and applying the Constitution of India in its entirety to the State. The Order C.O. 272 was followed by C.O. 273 declaring that all the clauses of Article 370 shall cease to be operative except the clause making all the provisions of the Constitution applicable to the State. The Rajya Sabha on 5th August 2019 passed Jammu and Kashmir (Reorganisation) Bill, 2019 bifurcating the State into two Union Territories. The Act was notified on 9th August 2019. The C.O. 272 of 5th August 2019, C.O. 273 of 6th August 2019 and Jammu and Kashmir Reorganisation Act, 2019 denuded the State of Jammu and

Kashmir of its special constitutional status and downgraded and fragmented the State of Jammu and Kashmir into two Union Territories. The Jammu and Kashmir Reorganisation was also made a device to repeal a few hundred State laws including the Jammu and Kashmir Representation of Peoples Act, 1957 and application of more than a hundred Central Laws including The Delimitation Act, 2002 to the new Union Territory.

7. All steps taken on 5th and 6th August 2019 namely C.O, 272, C.O. 273 and Jammu and Kashmir Reorganisation Act being grossly unconstitutionaltrampling upon the letter and spirit of the Constitution and unable stand judicial scrutiny, the Orders and the Act have been questioned in as many 10 petitions most of these petitions filed in August 2019 itself, before the Hon'ble Supreme Court. The petitioners oncogent and convincing constitutional grounds have questioned vires of the C.O272 and C.O. 273 Orders and the Reorganisation Act 2019. The Hon'bleSupreme Court has been pleased to entertain and admit the Petitions and refer the Petitions to Five Judge Constitutional Bench of the Hon'ble Court. The Hon'ble Five Judge Constitutional Bench has orderedclubbing of all these petitions, heard the matter a few times but the hearing thereafter was not possible and got delayed due to covid –19 Pandemic. The physical hearing having been resumed, the matters are expected to become up and be heard in near future.

### **THRESHOLD OBJECTIONS**

8. The Hon'ble Delimitation Commission cannot lose sight of the fact that the application of law under which the Commission is constituted and the law the Commission is to apply and whereunder the Commission derives its powers are constitutionally suspect law inasmuch their vires or constitutionality is under judicial scrutiny of the topmost Constitutional Court of the Country. The fundamental principles of Constitutional ethics, morality and propriety in a Constitutional democracy governed by rule of rule like oursrequire all the limbs of the State, all the State functionaries andgovernment and semi-government statutory bodiesand institutions including this Hon'bleCommission not to implement, act upon or exercise powers under a law under judicial scrutiny, the



constitutional validity and vires whereof are being examined by the Hon'ble Supreme Court. The Hon'ble Chairperson of the Commission a known legal luminary of the Country having adored the Bench, is well aware of basic principle that implementation of law impugned before the Hon'ble Supreme Court on the ground of ultra vires and unconstitutionality and under scrutiny by the constitution bench is to be avoided as its implementation while under challenge may border on disregard and preempt the verdict. The Hon'ble Commission therefore in our humble opinion must not go ahead with present Delimitation exercise and wait for the judgment of Hon'ble Supreme Court.

9. The Hon'ble Commission constituted under Delimitation Act, 2002 is called upon to delimit the constituencies of the Union Territory of Jammu and Kashmir in accordance with Jammu and Kashmir Reorganisation Act 2019. Hon'ble Commission may kindly appreciate that petitions pending before the Hon'ble Supreme Court would amongst others call for answer to the questions: Whether downgrading a State and dividing a State into two or more Union Territories is permissible under the Constitution. We need to be reminded that under the Constitution of India is a Union of States. Whether dismembering a State would result in loss of its status and identity – a far serious issue for the federal character of the Country, held to be basic structure of the Constitution by the Hon'ble Supreme Court and therefore would be impermissible and unconstitutional. Whether it was permissible for the President to suspend, in exercise of extraordinary and emergency powers under Article 356, Article 3 provisos 1 and 2 when the suspended provisions were unrelated to carrying on smooth administration during the presidential rule. Whether the constitutional safeguards and constitutional procedure involved in exercise of powers under Article 3 were adhered to and strictly followed, if at all the division and downgrading of the State is assumed though not admitted to be possible. Whether repeal of the Jammu and Kashmir Representation of Peoples Act, 1957 was in accordance of law and whether application of Delimitation Act 2002 to Jammu and Kashmir was permissible under law. Whether Jammu and Kashmir Reorganisation Act 2019 has been passed in violation of the Constitution.

10. The above and all like questions that may arise before the Hon'ble Supreme Court while hearing the Petitions, are important jurisdictional question that go to the root of the matter and the Hon'ble Commission taking due note of these important issues, must stop proceeding with the exercise and await judicial verdict in the batch of Petitions impugning the C.O. 272 of 5th August 2019, 6th August 2019 and Jammu and Kashmir Reorganisation Act.
11. The Constitution of Jammu and Kashmir(State Constitution) has been framed by a duly convened Constituent Assembly in exercise of constituent power. The Constitution cannot be abrogated by the Parliament or any other authority. The State Constitution is in existence as on date. It provides for delimitation after the figures of first census after 2026 are published. The Jammu and Kashmir Representation of Peoples Act 1957 also provides for delimitation after 2031 census figures are published. The delimitation of Assembly Constituencies and Parliamentary Constituencies in the Country is to be done after the figures of first census after 2026 are published. Looking from any angle, therefore the delimitation exercise is to be deferred till 2031 census figures are published. There is no reason to single out Jammu and Kashmir for delimitation exercise, when the underlying logic and all relevant factors advocate such exerciseto be deferred till 2031 census figures are published. What is good for entire Country must be good for Jammu and Kashmir as well. The Commission must take due cognizance of this fact more so when the Commission has itself deferred delimitation exercise in Assam.
12. The argument advanced to justify the Delimitation exercise more than a decade ahead of the rest of the Country is that the Jammu and Kashmir Reorganization Act 2019 provided for increase in number of seats and as 7increased seats were to be allocated it was necessary to embark on such exercise. The argument is specious to say the least. The Andhra Pradesh Reorganisation Act 2014 provided for increase of 50 Assembly seats in case of Andhra Pradesh and 34 Assembly seats in case of Telangana. The increase did not prompt delimitation exercise and the Assembly elections were held without fresh delimitation exercise. There is no proposal to go for any delimitation exercise ahead of the delimitation in the Country after census figures of 2031 census are available.In

Assam elections were held without delimitations though the process was initiated with constitution of the Delimitation Commission. Against said backdrop, the right course would be to stop the delimitation exercise and commence it alongside such exercise in the Country after the figures of first census after 2026 are published as provided in Article 170 and envisioned in Section 47 of the State Constitution. The election to the Assembly in Jammu and Kashmir may be held as in case of Andhra Pradesh, Assam and Telangana, as per the existing delimitation. The course would also be one warranted and more than that advisable due to pending challenge to the 5th and 6th decisions before the Hon'ble Supreme Court. The Parliament in its wisdom decided to defer delimitation in entire country until 2031 census figures are published and the decision was not revised even when there were reasons as in case of Andhra Pradesh and Telanganato give it a second look, therefore same criteria must be followed in case of Jammu and Kashmir.

### **DETAILED OBJECTIONS**

13. The objections are submitted without prejudice to our consistent stand that as constitutional validity of the Jammu and Kashmir Reorganisation Act 2019, C. O.272, C.O. 273 and other measures taken in August 2019, are under challenge and their constitutional validity being examined by the Constitution Bench of the Hon'ble Supreme Court the present Delimitation exercise would amount to implementation of a law under judicial scrutiny and the Delimitation exercise is to be stopped till the judicial verdict is rendered by the Hon'ble Court. It is submitted that the response to Paper 1 and Paper 2-6 have gone unaddressed and only cosmetic changes have been made in the Draft Proposal. Hence the objections already submitted are to be reiterated in addition to the fresh response.

### **ASSEMBLY CONSTUENCIES**

14. The Delimitation of territorial constituencies after regular intervals is integral part of democracy. The democracy has its edifice on equal representation to the people in law making institutions, their equal participation through their representatives in decision making and in governance. The Delimitation exercise having regard to its importance in strengthening democracy must be fair,

objective and impartial. To ensure fairness, objectivity and impartially it is important to strictly adhere to the legal frame work, prescribed criteria and in case no criteria is prescribed to lay down criteria in accordance with the settled guidelines and apply the criteria prescribed or laid down as the case may be, uniformly and not selectively. The present Delimitation exercise, it is painful to point out, is neither in tune with the Constitution nor in consonance with law. The criteria, be it allocation of 7 increased Assembly constituencies or delimiting the constituencies and drawing boundaries of the constituencies is arbitrarily fixed and selectively applied.

15. The fundamental principle behind any delimitation exercise is to ensure that every constituency has as far as possible equal population. The determining criteria therefore is population with contiguity, connectivity, communication, convenience, compact area as other considerations. This is the position emphasized in the Constitution and law a detailed reference to which has been made in response to Papers 1 to 6 and are requested to be read with these objection/dissent. However, be it the allocation of additional seats or delimiting of the Assembly constituencies these principles have been very conveniently ignore. The proposal to allocate one of 7 increased Assembly seats to Kashmir as against entitlement of 4 – 1 each for Anantnag, Budgam, Kupwara and Srinagar is bound to create inequality and disagreement between the regions.
16. It becomes necessary to revisit the statistics highlighted in previous response. The total population of Jammu and Kashmir as per 2011 Census is 1,22,67,348. The population of Kashmir Division according to Census figures is 68,88,829 and population of Jammu Division is 53,78,519. The average population per Assembly Constituency works out to be 1,36,304. The number of Assembly Constituencies to be allocated to Kashmir Divisions on the basis of 2011 Census figures and average population per Assembly Constituency must be 51 (50.54) and to Jammu Division 39 (39.45) respectively. The number of Assembly Constituencies proposed to be allocated to Kashmir Division is 47 or 4 less than the Assembly Constituencies it deserves to have allocated and the number Assembly Constituencies allocated to Jammu is 43 or 4 more than du having regard to the population of the Division and the average population per Assembly

Constituency. The Kashmir Division with 56.15% of the total population gets only 52.22% of the Assembly Constituencies and Jammu Division with 43.84% of the population gets 47.77% of Assembly Constituencies. The Kashmir Division notwithstanding more population get practically disenfranchised.

17. The categorization of the Assembly Constituencies in three groups with +10%, average and -10% advocated in Paper I with 136304 as average population of an Assembly Constituency and 10% +/- deviation has been grossly violated. The Draft proposal makes deviation of up to -67%. In Kashmir Division 5 of the 10 districts have been placed in +10% category whereas in Jammu Division only 2 of the 10 districts have been categorized as +10% meaning that in 5 of 10 districts as against 2 districts of Jammu division the average population per Assembly Constituency would be 149935 as against overall average of 136304. In Kashmir Division only 1 district has been categorized as -10% whereas in Jammu Division 4 districts have been placed in -10% category implying that in Jammu Division 4 territorial areas get Assembly Constituencies though their population is less than average. The device is used to reduce the number of Assembly Constituencies in Kashmir Division and increase the number in Jammu Division, in the proposal. A hard look at proposed parameters is at this stage called for.
18. The proposal as regards Samba district and Kulgam district as already submitted is totally indefensible and warrants a closer look. The Samba district with a population of 3,16,031 and an area of 915 sq. km is proposed to be allocated 3 Assembly Constituencies with average population of 105344 i.e. 31 thousand below the average and even 22 thousand below the -10% category and with the average of 305 sq Km per Assembly Constituency. Samba district surprisingly is shown as +10% category district in Paper-1 but the criteria actually applied does not match the given parameters. Kulgam district with the population of 4,24,484 is proposed to be allocated 3 Assembly Constituencies with average of 1,41,495 i.e. 5,191 above the average and with average area of 1003 sq Km per Assembly Constituency. The Kund, Waltengo Naar – the avalanche prone area, by and upper areas of D.H. Pora are tough terrain areas and large segment of the population residing in these areas suffers immense hardship. All these factors

warranted Kulgam district to be placed in -10% category. Instead of this, the number of Assembly Constituencies has been reduced from 4 to 3 resulting in grave injustice to the district.

19. The Hon'ble Commission has in the first place arbitrarily devised some unknown criteria while apportioning and identifying increased 7 seats and selectively applied the criteria so fixed and thereafter allotted seats compromising the fundamental principle of population as the main criteria. The increased seats have been arbitrarily allotted even in violation of -10% and +10 % of the average criteria fixed and notified in Paper -1. The criteria provided that while 136304 would be average population of an Assembly Segment, -10 % allowance would be given having regard to tough terrain, lack of connectivity, hardship faced by people. In such cases Assembly Constituency would be allotted for population 10% below the average. The parameters or indicators of criteria were not made known to the associate members. However, the decision as regards allocation of increased 7 seats in the ratio of 1:6 though arbitrarily and ignoring our objections, was taken before Paper-1 was circulated and response invited from associate members the comments/Objection filed on December 31, 2021 though cogent and convincing were ignored. The arbitrary allocation of increased seats for reasons other than contemplated under law and logic, have made now huge violation of fundamental principles of a delimitation exercise unavoidable.
20. The population as the first and foremost criteria of delimiting the Constituencies continues to be ignored in the draft and not given the importance it deserves. The deviation in population ranges from 56077 more than average of 136304 in case of 41-Dooru to 85025 less than average in case of 50-Padder. There are 6 Assembly segments with less than 100,000 – 1 lac population ( Paddar, Inderwal, Shri Mata Vaishnav Devi, Bani, Basohli, and Kishtwar) in Jammu Province while number of such constituencies is three (Gurez, Karnah and Kunzer). Likewise there are 20 Assembly segments with population of more 1,50,000 in Kashmir Provinces while number of such Assembly segments is 8 in case of Jammu province. TwentyFour constituencies in Kashmir Province have more than average population of 136304 while population of only eight constituencies in Jammu Province exceeds the average population of a constituency worked out

by the Hon'ble Commission. The population of Dooru almost equals population of three constituencies – Paddar, Shri Mata Vaishnav Devi and Bani constituencies of Jammu. While a little less 2 lac population of Dooru will have one member in Assembly an almost equal population from aforementioned 3 constituencies shall have three members in the Assembly. The people of Dooru therefore cannot not be equal stakeholders in decision making and equal participants in governance. The Working Papers 1-6 script a storey of disempowerment and disenfranchisement of Kashmir and far flung unattended areas of Jammu. The revised draft does not at all address these gross discrepancies.

21. The Draft Proposal made available on 26th February does not at all consider the response to Paper 1- 6 submitted on 14th February 2022. When district and not State as envisioned in Article 81(2)(b) is taken as a unit, Anantnag, Budgam, Kupwara and Srinagar Districts having regard to the population and criteria of +/- 10% fixed by the Hon'ble Commission, deserve to be allotted an extra Assembly segment each out of the seven increased seat while Rajouri, Poonch and Doda in Jammu province is to get one each. The Hon'ble Commission without any reason ignoring the just claim of Anantnag, Budgam, Srinagar and Poonch has unjustifiably allotted one each from the increased seats to Reasi, Kathua, Samba, Udhampur, Kishtwar when the criteria laid down did not make the Districts eligible for increase. Baramulla with 100 km long LoC does not get an extra seat having regard to the hardship faced by the population living along the LoC, while a suburban industrialised district with 900 sq km total area gets an extra Assembly segment in the name of proximity to International Border.
22. While to illustrate departure from law the 85 – Rajouri, 90- Mendhar and 88- Poonch Haveli were quoted as ready examples and the deviations pointed out have been corrected, yet from the closer look at the Working Papers 2-6 would reveal that in most of cases geographical compactness, facilities of communication and convenience to the public spelt out in Section 60 (supra) have not attracted any consideration. The constituencies have been demarcated, areas joined and areas annexed with least regard for these factors and for reasons other than permissible under settled norms. To point out Anantnag west has annexed with it Imoh PC and Sahib Aabad previously part of now

fragmented Shangus - Anantnag constituency about 40 Km from headquarter of the 43-Anantnag West. Same is the case with Kishtwar where Muchater PC and Balgran PC closer to Inderwal is annexed with 49- Kishtwar. 5-Handwara is another case in point. The part of Handwara Tehsil is sliced away and annexed with another Assembly Segment and Drugmulla Tehsil previously part of 3-Kupwara is joined with 5- Handwara. Similar treatment is given to 74-RS Pora – Jammu South and 22 – Sonawar where PCs from middle of other Assembly segments have been picked joined with other Assembly Segments. The 41- Dooru, the constituency with largest population 192381– and a large area as well. The Assembly Segment qualifies for an additional constituency. Most of the Assembly segments present the same storey. The Assembly segments are mentioned only to illustrate the departure and deviation from the settled norms. The Hon'ble Commission has in disregard of law carved out islands within and from the middle of the Assembly segments and annexed with far away Assembly segments without any proximity or connectivity. The details herein are only to illustrate the pattern of departure from set practices and universally followed norms and does not cover all the segments.

23. The two Provinces / Divisions of Jammu and Kashmir are contiguous separated by mighty Pir Panjal range and other mountains of The Lesser Himalayas. Both the Divisions have similar terrain and topography and almost equal share of predominantly hilly and difficult areas. The hilly and difficult areas cannot be selectively used to the advantage of one Division and increase its representation and disempower and disenfranchise the other Division. The people on other side of Lesser Himalayas and small valleys within the range are exposed to similar hardships like lack of adequate communication and connectivity as in the Districts placed in -10% category. To illustrate population in MatiGawran, AhlanGadole, Kapran, Hapatnar, Lidroo, Frislan, Lehendajan, Chimran, Kachiwan, Chaugam and scores of other remote areas of Anantanag is victim to immense hardship as regards means of communication, civic amenities, entitling the district to be categorized as -10% or at least average category. The entire Shopian district overlooked by mighty Pir Panjal with the toughest terrain and difficult and remote areas with little or no communication like Devpora, Heerpora,



Kirchpathri, Dachnoo, GorsinarJampathri and Saimarg, ChakhrinooriKathhalan and other areas, has been placed in +10% category, making it unfair and discriminatory. Same is true about Baramulla. With 100 km long LoC and remote areas HawaMarkoot, Kitri Dajan, and interior areas of Rafiabad, Bijhama, Kamal Kot, Nambla, Uri, interior areas of Boniyaar, Kandi, Kakawthal, with little or no communication, and hardship faced by a large segment of population near LoC getting uprooted day in and day out, the Baramulla district deserved to be placed in -10% category. The Budgam district has also not received fair deal in the Paper-1 proposals. The Hon'ble Commission has failed to realise that most of the district comprises of hilly and mountainous areas below and overlooked by Tosmaidan and remote areas with tough terrain in Khag, Beerwah, Khan Saheb, GogjiPathri. The district has been surprisingly placed in +10% category when it ought to have been in -10% category or at least in average category. The categorization and criteria set out in Paper-1 followed to make such exercise is therefore arbitrary, unfair and selectively used. The result is gross injustice to the Kashmir Division unless correctional measures are taken. We have voiced our concern in the meeting dated 20<sup>th</sup>December, 2021 and submitted that the proposal offends core criteria observed in such exercise.

#### PARLIAMENTARY CONSTITUENCIES

24. The propose delimitation of the Parliamentary Constituency Anantnag and the Draft Proposal may be without a parallel in the history. No where in such an exercise two geographically different regions separated by one of the highest mountain ranges inaccessible for most of the year must have been ever joined to form one constituency ignoring fundamental principles of congruity, connectivity, convenience and compact area as required under law. The Draft as regards other two parliamentary constituencies of Srinagar and Baramulla also does not have regard to the fundamental principles of delimitation.
25. What can be more shocking example of unrealistic, illogical and irrational demarcation of a Parliamentary Constituency than that of 3-Anantnag Constituency. The Hon'ble Commission has joined Anantnag, Kulgam and Zainapora from Shopian District with Poonch and Rajouri Districts without any regard for the terrain, geography, connectivity, accessibility, and overall

convenience. The Hon'ble Commission has not in the least considered that Anantnag, Kulgam and Zainpora are separated by mighty Pir Panchal Range and the area are in- accessible for half the year because of heavy snowfall. The draft proposal makes no sense looking from any angle. The only result would be huge hardship to the people of Poonch, Rajouri and also far flung areas of south Kashmir. Redrawing of boundaries of Srinagar and Baramulla depicts similar indifference to the guiding principles of compactness, contiguity and connectivity while making delimitation exercise. Shopian has been made part of Srinagar Constituency and Budgam and Beerwah part of Baramulla in utter disregard of the settled guiding principles and to huge inconvenience of the people.

26. The Hon'ble Commission has restored some of the names of huge historical importance. Working Paper 1-6 shockingly obliterates a number of Constituencies of historical importance. However justice remains to be done to Amirakadal, Zadibal, Sangrama, Gulmarg, HomShaliBugh, Batmaloo, Gandhi Nagar are made to disappear and completely obliterated unmindful of their emotional value and importance. Amira Kadal makes us remember the name of Governor Amir Khan who has made significant contribution to architecture and urban development. It is shocking when efforts are being made to restore old names of cities and towns in the Country, a conscious effort is being made to obliterate and remove history and culture of Jammu and Kashmir. The names of places, towns and cities are symbols of culture and history and deserve to be respected. The constituencies therefore must be restored.
27. The Hon'ble Commission has made the exercise seemingly on perusal of maps without visiting different parts of north Kashmir, South Kashmir, central Kashmir, Pir Panchal, Kathua and other district and sub district headquarters. The Hon'ble Commission did not meet and interact with cross section of people and civil society groups across Jammu and Kashmir and the draft does not reflect the aspirations and views of the general public.
28. That non application of mind is as submitted in earlier responses writ large on the Working Paper 1-6 as must be clear from the submissions made above and the proposals therefore deserve to be withdrawn and whenever permissible under

the Constitution a fresh look given to it after wider consultation and interaction with all sections of society.

29. That the Working Paper 1-6 proposals for the reasons set out in preceding paras and for the reasons that may be submitted hereafter are not acceptable and should not be acted upon as these would result in grave injustice to every segment of the population and also violate the fundamental principles that govern the delimitation exercise and are to be abided by the Hon'ble Commission.
30. That we reserve the right to make further oral and written submissions in support of the submissions made above.
31. That this dissenting proposals / memorandum / objections along with annexures be kindly taken on record and published with the draft proposal.

In the premises and having regard to the submissions made and the annexures enclosed and the submissions to be made as and when the Hon'ble Commission may be pleased to allow, it is respectfully prayed:

That Hon'ble Commission having due regard to the cogent and convincing submission made in paras 1 to 31 above may be pleased to stop the Delimitation exercise forthwith pending final adjudication and disposal of the batch of writ petition questioning Vires and constitutional validity of Jammu and Kashmir Reorganisation Act 2019.

The draft proposal made in Working Paper 1-6 proposing demarcation of the Assembly Constituencies and Parliamentary constituencies be withdrawn without acting upon the proposals in any manner or proceeding ahead in the matter.

With Regards.

Dated:04/03/2022

Sd/-

Dr.Farooq Abdullah,

Member of Parliament, Srinagar Lok Sabha Constituency.

Sd/-

Mr.Mohammad Akbar Lone,

Member of Parliament, Baramulla Lok Sabha Constituency.

Sd/-

Mr.Hasnain Masoodi,

Member of Parliament, Anantnag Lok Sabha Constituency.

{II}

**Chairperson  
Delimitation Commission  
3rd Floor, The Hotel Ashok  
Chankyapuri, New Delhi. 110021**

Subject: Dissenting Proposal regarding Assembly/Parliamentary Constituencies of UT of Jammu Kashmir.

Hon'ble,

W.r.t your letter No. 282/J&K/2022 (DEL) Dated 25<sup>th</sup> February, 2022, I am forwarding revised proposal having suggestions regarding delimitation of the Assembly segments.

I humbly request the Delimitation Commission to consider the following suggestions:

- The newly proposed "Anantnag-Rajouri" Parliamentary seat may please named as "Anantnag-Poonch" Parliamentary Seat.
- "Shopian" Assembly segment falls between Anantnag & Rajouri Poonch, therefore Shopian may please be included in Anantnag Rajouri Parliament seat & "Bijbehra" Assembly segment may please be included in Srinagar Parliamentary seat as it is very adjoining to Srinagar.

#### **District Jammu**

- 1- The "Bahu" Assembly segment should be renamed as "Bahu Lochan" Assembly segment.
- 2- The "Jammu East" assembly segment should be renamed as "Jammu Tawi" Assembly Segment. The river Tawi flows through the Jammu City. It is sacred river and people have great faith in the river. Considering the sentiments this seat may be renamed as "Jammu Tawi" seat.
- 3- The "Jammu North" Assembly segment should be renamed as "Muthi-Domana" Assembly segment.
- 4- The "Maira Mandarian" & "Chowki Choura" Tehsils may kindly be excluded from Khour Assembly Segment and to be included in Akhnoor Assembly segment.

- 5- The "Pargwal" tehsil may kindly be excluded from Akhnoor Assembly segment and to be included in Khour Assembly Segment.

#### **District Samba**

- 1- The "Katli" PC may be excluded from Ramgarh Assembly segment and to be included in Samba Assembly Segment.
- 2-The "Rajpura" Tehsil to be excluded from Ramgarh Assembly segment and to be included in Samba Assembly Segment.

#### **District Rajouri**

- 1-The "Darhal" Assembly segment may please be renamed as "Budhal Assembly" Segment.(Tehsil Kotranka & Tehsil Khawas)
- 2-The "Darhal" Tehsil may kindly be excluded from Darhal Assembly Segment and included in Thanamandi Assembly Segment.
- 3- The "Fahtehpur" PC may be excluded from Rajouri Assembly segment & included in "Thanamandi" Assembly segment.

**Respected,**

**In reference to the letter no. 282/J&K/2022(DEL) dated: 25/02/2022, my note of dissent may be published along with the draft proposal of the Commission.**

Thanking You,

Yours Sincerely,

Sd/-

Jugal Kishore Sharma  
Member of Parliament  
Lok Sabha, Jammu.