

114 seats, Migrant Quota cleared for J&K Assembly

December 7, 2023 • vajiramandravi.com



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Why in the News?

- The Lok Sabha passed the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023 and the Jammu and Kashmir Reservation (Amendment) Bill, 2023.

Background

- In the erstwhile state of Jammu and Kashmir, the delimitation of Lok Sabha seats was governed by the Indian Constitution, but the delimitation of its Assembly seats was governed separately by the Jammu and Kashmir

Constitution.

- But after the abrogation of Article 370 on August 5, 2019, Jammu and Kashmir lost its special status and became a Union Territory.
- In March 2020, Union government set-up a Delimitation Commission which was tasked with delimitation in J&K and four north-eastern states- Assam, Manipur, Arunachal Pradesh and Nagaland, which was supposed to be completed in a year.
- Due to Covid-19 pandemic, the Commission has been given an extension of one year.
- On completion of delimitation process, the delimitation commission had published orders with regard to the delimitation of the assembly and parliamentary constituencies of J&K.
- As per these orders, the number of seats in the legislative assembly of J&K has been increased from 107 to 114 through Jammu and Kashmir Reorganisation (Amendment) Bill, 2023.

About Jammu and Kashmir Reorganisation (Amendment) Bill, 2023

- The Jammu and Kashmir Reorganisation (Amendment) Bill, 2023 was introduced in Lok Sabha in July, 2023.
- The Bill amends the Jammu and Kashmir Reorganisation Act, 2019.
 - The Act provides for the reorganisation of the state of Jammu and Kashmir into the union territories of Jammu and Kashmir (with legislature) and Ladakh (without legislature).

Key Features of the Jammu and Kashmir Reorganisation (Amendment) Bill, 2023

- Number of seats in the Legislative Assembly:
 - The Second Schedule of the Representation of the People Act, 1950 provides for the number of seats in legislative assemblies.
 - The 2019 Act amended the Second Schedule of the 1950 Act to specify the total number of seats in the Jammu and Kashmir Legislative Assembly to be 83.
 - It reserved six seats for Scheduled Castes.
 - No seats were reserved for Scheduled Tribes.
 - The Bill increases the total number of seats to 90.
 - It also reserves 7 seats for Scheduled Castes and 9 seats for Scheduled Tribes.
 - The increase is based on the report of the Delimitation Commission.
- Nomination of Kashmiri migrants:
 - The Bill adds that the Lieutenant Governor may nominate up to 2 members from the Kashmiri migrant community to the Legislative Assembly.
 - One of the nominated members must be a woman.
 - Migrants are defined as persons who migrated from the Kashmir Valley or any other part of the state of Jammu and Kashmir after November 1, 1989, and are registered with the Relief Commissioner.
 - Migrants also include individuals who have not been registered due to:
 - being in government service in any moving office,
 - having left for work, or

- possessing immovable property at the place from where they migrated but are unable to reside there due to disturbed conditions.
- Nomination of displaced persons:
 - The Bill adds that the Lieutenant Governor may nominate to the Legislative Assembly 1 member representing displaced persons from Pakistan-occupied Jammu and Kashmir.
 - Displaced persons refer to individuals who left or were displaced from their place of residence in Pakistani-occupied Jammu and Kashmir and continue to reside outside such place.
 - Such displacement should have taken place in 1947-48, 1965, or 1971 due to civil disturbances or fear of such disturbances.
 - These include successors-in-interest of such persons.

About Jammu and Kashmir Reservation (Amendment) Bill, 2023

- The Jammu and Kashmir Reorganisation (Amendment) Bill, 2023 was introduced in Lok Sabha in July, 2023.
- It amends the Jammu and Kashmir Reservation Act, 2004.
- The Act provides for reservation in jobs and admission in professional institutions to members of Scheduled Castes, Scheduled Tribes, and other socially and educationally backward classes.

Key Features of the Jammu and Kashmir Reservation (Amendment) Bill, 2023

- Socially and educationally backward classes:
 - Under the Act, socially and educationally backward classes include:
 - people residing in villages declared as socially and educationally backward by the UT of Jammu and Kashmir,
 - people residing in areas adjoining the Actual Line of Control and International Border, and
 - weak and under-privileged classes (social castes), as notified.
 - The government may make inclusions or exclusions from category of weak and under-privileged classes, on the recommendations of a Commission.
 - The Bill substitutes weak and under-privileged classes with other backward classes as declared by the UT of Jammu and Kashmir.
 - The definition of weak and under-privileged classes is deleted from the Act.
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Q1) What is the meaning of Delimitation w.r.t. Elections in India?

Delimitation literally means the act or process of fixing limits or boundaries of territorial constituencies in a country or a province having a legislative body. The job of delimitation is assigned to a high power body. Such a body is known as Delimitation Commission or a Boundary Commission.

Q2) Which UTs have Legislative Assemblies?

Union Territories like Delhi, Jammu and Kashmir, and Puducherry have their own legislative assembly and council of ministers.

Source: [114 seats, migrant quota cleared for J&K Assembly](#)

Source: <https://vajiramandravi.com/current-affairs/jammu-kashmir/>

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