

THE DELIMITATION COMMISSION (AMENDMENT)  
ACT, 1954

No. 55 OF 1954

[25th December, 1954]

An Act further to amend the Delimitation Commission Act, 1952

BE it enacted by Parliament in the Fifth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Delimitation Commission (Amendment) Act, 1954.

2. **Insertion of new section 9A in Act LXXXI of 1952.**—In the Delimitation Commission Act, 1952, after section 9, the following section shall be inserted, namely:—

“9A. *Redetermination of seats for Scheduled Castes or Scheduled Tribes on correction of census figures.*—(1) If at any time before the first day of January, 1956, the census figures pertaining to the population of the scheduled castes or scheduled tribes of any State are corrected by the competent census authority in order to rectify any mistake or omission (including any omission arising out of the exclusion of persons returned under generic names or synonyms of the names of such castes or tribes) during enumeration or tabulation and the corrections so made are duly published by that authority, then, notwithstanding anything contained in sub-section (1) of section 9,—

(a) the said figures as so corrected shall be taken to be the latest census figures for the purposes of section 8;

(b) the Commission shall redetermine on the basis of those figures the number of seats, if any, to be reserved for the scheduled castes or scheduled tribes in the House of the People and the Legislative Assembly of the State in accordance with the provisions of sub-section (1) of section 8, and make any amendments that may be found necessary in its final order determining the matters referred to in that sub-section:

(c) where a final order determining in respect of the State the matters referred to in sub-section (2) of section 8 has not been published, the Commission shall proceed with the making and publication of such final order on the basis of the number of reserved seats as redetermined under clause (b);

(d) where a final order determining in respect of the State the matters referred to in sub-section (2) of section 8 has been published, the Commission shall make such amendments in that order as it may find necessary for the purpose of giving proper representation to the scheduled castes or the scheduled tribes on the basis of the number of reserved seats as redetermined under clause (b); and

(e) every order made under clause (b) or clause (d) amending a final order of the Commission shall be published in the Gazette of India, and on such publication that final order as so amended shall have the full force of law and shall not be called in question in any court.

*Explanation.*—In this sub-section, all references to the Commission shall, after the Delimitation Commission ceases to exist, be construed as references to the Election Commission.

(2) Nothing in sub-section (3) of section 8 shall apply in respect of the redetermination of numbers under clause (b) of sub-section (1) of this section.

(3) As soon as may be after the publication in the Gazette of India, every order made under clause (b) or clause (d) of sub-section (1) shall be laid before the House of the People."