

# THERE IS CONSTITUTIONAL IMPROPRIETY, SAYS NC

Relevant for: Indian Polity | Topic: Elections, Election Commission and the Electoral Reforms in India Incl. Political Parties

Hasnain Masoodi | Photo Credit: NISSAR AHMAD

The National Conference (NC) has mainly highlighted “constitutional impropriety, lack of implementation of laid-down guidelines and irrational distribution of geography and population” in the proposals in the second draft of the J&K Delimitation Commission. Three party leaders who are associate members on the panel submitted its response to the draft in New Delhi on Monday,

“The threshold of our response to the commission’s second draft has been that it should stay away from such exercises till the Supreme Court decides the matter before it. We reiterated that the J&K Delimitation Commission was set up under the Delimitation Commission Act, 2002, which was not applicable to J&K. Out of deference, moral and constitutional propriety, the exercise should not have been held as it is tantamount to pre-empting the SC verdict,” Justice Hasnain Masoodi (retd.), NC leader and MP, told *The Hindu* in an exclusive interview after submitting the party response to the panel.

He said the NC’s response also pointed out to the commission that it “has violated and departed from the laid-down norms”.

“There are constituencies with 1.92 lakh voting population and some with just 51,000. An aggregate population of three constituencies matches the population of just one seat of Dooru in south Kashmir with around 2 lakh voting population. The draft has defeated the purpose of giving equal representation to people,” Mr. Hasnain said.

Mr. Masoodi said the parameters on aspects such as geographical contiguity, hilly terrain and lack of communication were violated.

“In the first draft, it was proposed that there could be a deviation of minus 10 on the basis of tough geographical conditions. However, there are deviations as large as 60%. For example, the newly created Paddar constituency [in Jammu] has just a population of 51,000 against the average population distribution of 1.36 lakh per constituency.”

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