

## **Delimitation (Amendment) Act, 2008**

**9 of 2008**

**[28 March 2008]**

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## **Delimitation (Amendment) Act, 2008**

**9 of 2008**

**[28 March 2008]**

An Act further to amend the Delimitation Act, 2002. Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:-

### **1. Short Title And Commencement :-**

(1) This Act may be called the Delimitation (Amendment) Act, 2008.

(2) It shall be deemed to have come into force on the 14th day of January, 2008.

### **2. Amendment Of Section 10 :-**

In section 10 of the Delimitation Act, 2002(33 of 2002) (hereinafter referred to as the principal Act)-

(i) in sub-section (4), the following proviso shall be inserted, namely:--

"Provided that nothing in this sub-section shall apply to the delimitation orders published in relation to the State of Jharkhand.";

(ii) in sub-section (6), for the words "within two years of the constitution of the Commission", the words "within a period not later than 31st day of July, 2008" shall be substituted.

### **3. Insertion Of New Sections 10A And 10B :-**

After section 10 of the principal Act, the following sections shall be inserted, namely:--

"10A. Deferment of delimitation in certain cases- (1) Notwithstanding anything contained in sections 4, 8 and 9, if the President is satisfied that a situation has arisen whereby the unity and integrity of India is threatened or there is a serious threat to the peace and public order, he may, by order, defer the delimitation exercise in a State.

(2) Every order made under this section shall be laid before each House of Parliament.

10B. Delimitation Commissions order with respect to the state of Jharkhand not to have any legal effect- Notwithstanding anything contained in sub-section (2) of section 10, the final orders relating to readjustment of number of seats and delimitation of constituencies in respect of the State of Jharkhand published under the said section vide Order O.N. 63(E), dated 30th April, 2007 and O.N. 110(E), dated 17th August, 2007 shall have no legal effect and the delimitation of the constituencies as it stood before the publication of the said Orders shall continue to be in force until the year 2026 in relation to every election to the House of the People or to the Legislative Assembly, as the case may be, held after the commencement of the Delimitation (Amendment) Act, 2008."

### **4. Repeal And Savings :-**

(1) The Delimitation (Amendment) Ordinance, 2008 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.