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The Readjustment of Representation of Scheduled Tribes in Assembly Constituencies of the State of Goa Act, 2025

(ACT NO. 21 OF 2025)

[*As on the* 6*th August,* 2026]

LIST OF ABBREVIATIONS USED

G.S.R.	*for*	General Statutory Rules.
S.O.	„	Statutory Order.
Notifn.	„	Notification.

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THE READJUSTMENT OF REPRESENTATION OF SCHEDULED TRIBES IN ASSEMBLY CONSTITUENCIES OF THE STATE OF GOA ACT, 2025

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ARRANGEMENT OF SECTIONS

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SECTIONS

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THE READJUSTMENT OF REPRESENTATION OF SCHEDULED TRIBES IN ASSEMBLY CONSTITUENCIES OF THE STATE OF GOA ACT, 2025

ACT NO. 21 OF 2025

[13*th August*, 2025.]

An Act for enabling reservation of seats in accordance with article 332 of the Constitution for effective democratic participation of members of Scheduled Tribes and to provide for the readjustment of seats in the Legislative Assembly of the State of Goa, in so far as such readjustment is necessitated by inclusion of certain communities in the list of the Scheduled Tribes in the State of Goa and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:—

1. Short title and commencement.—(*1*) This Act may be called the Readjustment of Representation of Scheduled Tribes in Assembly Constituencies of the State of Goa Act, 2025.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "Census Commissioner" means the Census Commissioner appointed under sub-section (*1*) of section 4 of the Census Act, 1948 (37 of 1948);

(*b*) "Commission" means the Election Commission referred to in article 324 of the Constitution;

(*c*) "Delimitation Act" means the Delimitation Act, 2002 (33 of 2002);

(*d*) "Delimitation Order" means the Delimitation of Parliamentary and Assembly Constituencies Order, 2008;

(*e*) "last census" means the census held in India in 2001;

(*f*) "Scheduled Tribes Orders" means the Constitution (Scheduled Tribes) Order, 1950 (C.O. 19), and the Constitution (Scheduled Tribes) (Union Territories) Order, 1951 (C.O.32), as amended from time to time, made by the President under article 342 of the Constitution;

(*g*) "State" means the State of Goa.

3. Estimation of population of Scheduled Tribes.—(*1*) As soon as may be after the commencement of this Act, the population as at the last census of the Scheduled Tribes in the State shall be ascertained or estimated by the Census Commissioner.

(*2*) Where by reason of the amendments made in the Scheduled Tribes Orders after the last census and up to the date of commencement of this Act, the population of the Scheduled Tribes as at the last census is varied in the State, the Census Commissioner shall ascertain or estimate as on the date of such commencement, the population of the Scheduled Tribes so varied, and also ascertain or estimate the proportion of such population of the Scheduled Tribes to the total population of the State.

(*3*) The population figures ascertained or estimated under sub-section (*2*) shall be notified by the Census Commissioner in the Gazette of India.

(*4*) The population figures so notified shall be taken to be the relevant population figures and shall replace any figures previously published as ascertained or estimated at the last census; and the figures so notified shall be final and shall not be called in question in any court.

1. 6th day of August, 2026, *vide* Notifn. No. S.O. 4356 (E), dated 6th day of August, 2026, see Gazette of India, Extraordinary, Part II, sec. 3 (*ii*).

4. Readjustment of seats by Commission.—(*1*) After the population figures have been notified for the State under section 3, the Commission shall make such amendments as may be necessary in the Delimitation Order, having regard to the provisions of articles 170 and 332 of the Constitution, of section 8 of the Delimitation Act, and of this Act, for the purpose of giving proper representation to the Scheduled Tribes of the State, and the Second Schedule to the Representation of the People Act, 1950 (43 of 1950) shall be deemed to have been amended accordingly.

(*2*) In making any amendments in the Delimitation Order under sub-section (*1*), the Commission shall, as far as may be necessary, have regard to the provisions of clause (*d*) of sub-section (*1*) of section 9 of the Delimitation Act.

(*3*) The Commission shall—

(*a*) publish its proposals for the amendments in the Gazette of India and the Official Gazette of the State and also in such other manner as it thinks fit;

(*b*) specify a date on or after which such proposals will be further considered by it;

(*c*) consider all objections and suggestions which may have been received by it before the date so specified and for such consideration hold one or more public sittings at such place or places in the State as it thinks fit; and

(*d*) thereafter make necessary amendments in the Delimitation Order.

5. Procedure and powers of Commission.—(*1*) In the discharge of its functions under this Act, the Commission shall determine its own procedure and shall have all the powers of a civil court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit, in respect of the following matters, namely:—

(*a*) summoning and enforcing the attendance of witnesses;

(*b*) requiring the production of any document; and

(*c*) requisitioning any public record from any court or office.

(*2*) The Commission shall have the power to require any person to furnish any information on such points or matters as, in the opinion of the Commission, may be useful for, or relevant to, any matter under the consideration of the Commission.

(*3*) The Commission shall be deemed to be a civil court for the purposes of sections 384 and 385 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

(*4*) For the purposes of enforcing the attendance of witnesses, the local limits of the jurisdiction of the Commission shall be the limits of the territory of India.

6. Publication of amendments and their dates of operation.—(*1*) The Commission shall cause the amendments made by it in the Delimitation Order to be published in the Gazette of India and in the Official Gazette of the State.

(*2*) Upon publication in the Gazette of India, every such amendment shall have the force of law and shall not be called in question in any court.

(*3*) As soon as may be after such publication in the Gazette of India, every such amendment shall be laid before the House of the People and the Legislative Assembly of the State.

(*4*) Subject to any law that may govern readjustment and subject to the provisions of sub-section (5), the readjustment of seats in the Legislative Assembly of the State necessitated by any amendments made by the Commission in the Delimitation Order and provided for in that Order as so amended shall apply in relation to every election to the Assembly, held after the publication of such amendments in the

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Gazette of India and shall so apply in supersession of the provisions relating to representation as provided in the Representation of the People Act, 1950 (43 of 1950).

(*5*) Nothing in the foregoing sub-sections shall affect the representation in the Legislative Assembly of the State until the dissolution of the Assembly, existing on the date of publication in the Gazette of India of the amendments in the Delimitation Order made by the Commission.

7. Certain other powers of Commission.—(*1*) The Commission may, from time to time, by notification in the Gazette of India and in the Official Gazette of the State,—

(*a*) correct any printing mistake in the Delimitation Order as amended under this Act, or any error occurring therein from any inadvertent slip or omission; and

(*b*) where the boundaries or the name of any district or any territorial division mentioned in the said Order are or is altered, make such amendments as appear to it to be necessary or expedient for bringing the Order up-to-date.

(*2*) Every notification under this section shall be laid, as soon as may be after it is issued, before the House of the People and the Legislative Assembly of the State.

8. Power to remove difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(*2*) Every order made under sub-section (*1*) shall be laid, as soon as may be after it is made, before each House of Parliament.

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STATEMENT OF OBJECTS AND REASONS

The Government has received multiple representations from various sources, with a request to direct the initiation of the process to identify and determine the seats to provide for reservation to the Scheduled Tribes community in the Legislative Assembly of the State of Goa, as the same is not presently available to them. Since, the exercise of delimitation was initiated in the year 2002, the population of the Schedules Tribes in the State of Goa was recorded at that time in the census figures of the year 2001 as only 566, whereas the total population of the State of Goa was more than thirteen lakhs, the Scheduled Tribes communities of Goa, were not able to avail the benefit of reservations of seats as per the Constitution for their communities in the Legislative Assembly.

2. Subsequently, three new communities, namely, Kunbi, Gawda and Velip were included in the List of Scheduled Tribes of the State of Goa *vide* the Constitution (Scheduled Castes and Scheduled Tribes Orders) Amendment Act, 2003 which increased the number of Scheduled Tribes population in the State considerably. Thus, a peculiar situation has arisen in the State, wherein the population of the Scheduled Tribes in the State vis-à-vis the population of Scheduled Castes is considerably higher (as per the Primary Census Abstract, 2011 for the State of Goa, the Total Population was 14,58,545; the population of Scheduled Castes was 25,449 and the population of Scheduled Tribes was 1,49,275) but no seats are reserved for Scheduled Tribes and they are unable to avail the constitutional benefit of reservation afforded to them by article 332.

3. Further, there is no provision in the Representation of the People Act, 1950 or in the Representation of the People Act, 1951, or in the Delimitation Act, 2002, enabling the Election Commission to carry out further delimitation of constituencies or to determine constituencies for the Scheduled Castes or the Scheduled Tribes in the States/Union territories where the delimitation exercise was carried out by the Delimitation Commission constituted under the Delimitation Act, 2002 and in terms of the provisions of the Constitution on the basis of 2001 census.

4. The Delimitation Commission has since ceased to exist after completion of its assigned task in the year 2008. Under articles 82 and 170 of the Constitution, further delimitation stands frozen until the figures for the first census taken after the year 2026 have been published. Therefore, no readjustment of seats can be undertaken to provide the reservation of seats for the Scheduled Tribes in the State of Goa where the population of the Scheduled Tribes has increased considerably as per 2011 census vis-à-vis 2001 census figures.

5. Therefore, it is imperative to enact a law to provide for enabling provisions empowering the Election Commission of India to make amendments in the Delimitation of Parliamentary and Assembly Constituencies Order, 2008 and readjust the seats in the Legislative Assembly of the State of Goa for the Scheduled Tribes of the State.

6. In view of the above, it has been decided to introduce in Parliament a Bill for enabling reservation of seats in accordance with article 332 of the Constitution for effective democratic participation of members of Scheduled Tribes and to provide for the readjustment of seats in the Legislative Assembly of the State of Goa, in so far as such readjustment is necessitated by inclusion of certain communities in the list of the Scheduled Tribes in the State of Goa and for matters connected therewith or incidental thereto.

7. The Bill seeks to achieve the above objectives.

ARJUN RAM MEGHWAL.

NEW DELHI;
The 29*th July,* 2024.