



## Women's Reservation Bill for Gender Equality

This editorial is based on the article [Lok Sabha passes historic women's reservation Bill](#) which was published in The Hindu on 21/09/2023. It talks about the greater participation of women in the political process.

**For Prelims:** Women's Reservation Bill 2023, [Ministry of Women and Child Development](#), [73<sup>rd</sup> and 74<sup>th</sup> amendments to the Constitution](#), [Scheduled Caste/Scheduled Tribe](#)

**For Mains:** Gender equality, Issues Related to Women, Women representation in Politics

The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023 has been unanimously passed from Lok Sabha and Rajya Sabha. The Bill seeks to reserve one-third of the total number of seats in Lok Sabha and state legislative assemblies for women.

### What are the Key features of the Bill?

- **Reservation for Women in Lower House:** The Bill provided for **inserting Article 330A** to the constitution, which borrows from the provisions of Article 330, which provides for reservation of seats to SCs/STs in the Lok Sabha.
  - The Bill provided that reserved seats for women may be allotted by rotation to different constituencies in states or Union Territories.
  - In the seats reserved for SCs/STs, the Bill sought to provide one-third of the seats to be reserved for women on rotational basis.
- **Reservation for Women in State Legislative Assemblies: The Bill introduces Article 332A**, which mandates the reservation of seats for women in every state Legislative Assembly. Additionally, one-third of the seats reserved for SCs and STs must be allocated for women, and one-third of the total seats filled through direct elections to the Legislative Assemblies shall also be reserved for women.
- **Reservation for Women in NCT of Delhi ( New clause in 239AA):** Article 239AA to the constitution grants special status to the Union Territory of Delhi as national capital with regards to its administrative and legislative functioning.
  - **Article 239AA(2)(b)** was amended by the bill accordingly to add that the laws framed by parliament shall apply to the National Capital territory of Delhi.
- **Commencement of Reservation (New article - 334A):** The reservation will be effective **after the census conducted** after the commencement of this Bill has been published. Based on the census, **delimitation will be undertaken** to reserve seats for women.
  - The reservation will be provided for a **period of 15 years**. However, it shall continue till such date as determined by a law made by Parliament.
- **Rotation of Seats:** Seats reserved for women will be rotated after each delimitation, as determined by a law made by Parliament.

## What is the Background of the Reservation for Women in Politics in India?

- The issue of reservation for women in politics **can be traced back to the Indian national movement**. In 1931, in their letter to the British Prime Minister, submitting the **official memorandum jointly issued on the status of women** in the new Constitution by three women's bodies, leaders Begum Shah Nawaz and [Sarojini Naidu](#).
- The **National Perspective Plan for Women** recommended in 1988 that reservation be provided to women right from the level of the [panchayat to that of Parliament](#)
- These recommendations paved the way for the historic enactment of the [73<sup>rd</sup> and 74<sup>th</sup> amendments to the Constitution](#) which mandate all State governments to reserve **one-third of the seats for women** in Panchayati Raj Institutions and one-third of the offices of the chairperson at all levels of the Panchayati Raj Institutions, and in urban local bodies, respectively. Within these seats, **one-third are reserved for [Scheduled Caste/Scheduled Tribe](#) women**.
- The National Policy for the Empowerment of Women (2001) had stated that reservation will be considered in higher legislative bodies.
- In May 2013, the **Ministry of Women and Child Development constituted a committee on the status of women**, which recommended ensuring at least **50% reservation of seats for women in the Local bodies**, State Legislative Assemblies, Parliament, Ministerial levels and all decision-making bodies of the government
- In 2015, the **Report on the Status of Women** in India noted that the representation of women in state assemblies and Parliament continues to be dismal. It recommended reserving at least **50% seats for women** in local bodies, state legislative assemblies, Parliament, ministerial levels, and all decision-making bodies of the government.

## What are the Arguments for the Bill?

- **Gender Equality:**
  - Women representation in politics is a vital step towards gender equality
  - However, according to [Global Gender Gap Report 2022](#), **India ranks 48<sup>th</sup> out of 146 in Political Empowerment**.
  - Notwithstanding its rank, its score is quite low at 0.267. Some of the best-ranking countries in this category score much better. For instance, **Iceland is ranked 1 with a score of 0.874 and Bangladesh is ranked 9 with a score of 0.546**.
- **Historical Underrepresentation:**
  - The number of women MPs has increased from 5% in the first Lok Sabha to 15% in the 17th Lok Sabha; but the number continues to be quite low
  - A 2003 study about the effect of reservation for women in panchayats showed that women elected under the reservation policy invest more in the public goods closely linked to women's concerns.
  - The Standing Committee on Personnel, Public Grievances, Law and Justice (2009) had noted that reservation of seats for women in local bodies has enabled them to make meaningful contributions.
- **Women's right to Self-representation and Self-determination :**
  - If a group is not represented proportionally in the political system, its ability to influence policy-making is limited. The [Convention on the Elimination of All Forms of Discrimination Against Women](#) provides that discrimination against women must be eliminated in political and public life
  - The various surveys do indicate that **women representatives from Panchayati Raj have worked commendable in the development and overall well-being of society** in villages and many of them would definitely want to work on the larger scale, however, they face various challenges in the political structure prevalent in
- **Diverse Perspectives:**
  - A more diverse legislature that includes a significant number of women can bring a broader range of perspectives to the decision-making process. This diversity can lead to better policy formulation and governance.
- **Empowerment of Women:**
  - Women's reservation in politics empowers women at various levels. It not only encourages more women to participate in politics but also inspires women to take on leadership roles in other sectors.

- **Promotion of Women's Issues:**

- Women in politics often prioritize and advocate for issues that directly affect women, such as gender-based violence, women's health, education, and economic empowerment. Their presence can lead to the prioritization of these issues in policy discussions.

- **Role Models:**

- Women leaders in politics can serve as role models for young girls, encouraging them to aspire to leadership positions in various fields. Representation in politics can break stereotypes and inspire future generations.
- **Indira Gandhi** served as the **first and only women Prime Minister of India from 1966 to 1977**
- **Sushma Swaraj** was the **second woman external affairs minister of India after Indira Gandhi.**

## What are Arguments against the Bill?

- Women are not a homogeneous community like, say like, a caste group. Therefore, the same arguments made for caste-based reservations cannot be made for women.
- Reserving seats for women is opposed by some who claim that doing so violates the Constitution's guarantee of equality. If there is a reserve, they claim, women won't be competing on merit, which could decrease their status in society.

## What are the Challenges regarding Implementation of this Bill ?

- **Issues related to Delimitation:**

- The reservation shall come into effect only after delimitation is undertaken and delimitation will be undertaken only after the relevant figures of the next census are published.
- The date of the next census is entirely undetermined. So the delimitation is doubly indeterminate.

- **OBC Issue with the bill:**

- The women's reservation bill, which reserves 33% of seats for women in the Lok Sabha and state assemblies, does not include a quota for women from the OBCs.
- Geeta Mukherjee Committee (1996) recommended extending women reservation to OBCs.

## How can Women's Representation be Effectively put into practice?

- **Strengthen Independent Decision Making:**

- Establish an independent monitoring system or committees that explicitly prohibits family members from influencing the decision making process of women representatives.
- It can be implemented by reducing the influence of patriarchal mindset.

- **Increasing Awareness and Education:**

- Creating awareness among women about their rights and the importance of their participation in politics is essential. **Educational programs and awareness campaigns** can help to increase women's political participation.

- **Addressing Gender-based Violence and Harassment:**

- Gender-based violence and harassment are major obstacles to women's participation in politics. Addressing these issues through policy and legal measures can create a safer and more supportive environment for women in politics.

- **Reforms in the Electoral Process:**

- Reforms such as introducing proportional representation and preferential voting systems can help to increase women's representation in politics by ensuring that more women get elected.

These are only a few approaches to increase the number of women in Indian politics. To effect long-lasting change, a multifaceted strategy addressing multiple challenges is required.

### **Drishti Mains Question:**

Examine the reasons for under representation of women in the Indian Political System. How far the

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