

# CSB IAS ACADEMY

TOPIC OF THE DAY (DATE: 20.09.2023)

## WOMEN RESERVATION BILL – 2023 'Nari Shakti Vandan Adhiniyam'

### WHY IN NEWS?

During the present ongoing special session of Parliament, the **Women's Reservation Bill**, which seeks to provide a **33 percent quota for women in the Lok Sabha** (House of the People) and **state assemblies**, was introduced in the Lok Sabha.

### BACKGROUND

#### History of the Women's Reservation Bill:

##### **Rajiv Gandhi's Initiative (1989):**

- The idea of *reserving seats for women in elected bodies* was first introduced by former Prime Minister Rajiv Gandhi in May 1989. He introduced the Constitution Amendment Bill to provide one-third reservation for women in rural and urban local bodies.
- The bill was passed in the Lok Sabha but failed to get approval in the Rajya Sabha in September 1989.

##### **P.V. Narasimha Rao's Bills (1992 and 1993):**

- Prime Minister P.V. Narasimha Rao reintroduced **Constitution Amendment Bills 73<sup>rd</sup> and 74<sup>th</sup> in 1992 and 1993**. These bills reserved one-third (33%) of all seats and chairperson posts for women in rural and urban local bodies.
- Both bills were passed by both houses and became law, resulting in the election of nearly 15 lakh women representatives in panchayats and nagarpalikas across the country.

##### **Deve Gowda's Initiative (1996):**

- On September 12, 1996, then Prime Minister Deve Gowda's United Front government introduced the **81st Constitution Amendment Bill in Lok Sabha**, proposing reservation of seats for women in the Parliament.
- However, this bill failed to gain approval in Lok Sabha and was referred to **a Joint Parliamentary Committee chaired by Geeta Mukherjee**. The Mukherjee Committee presented its report in December 1996, but the bill lapsed with the dissolution of the Lok Sabha.

##### **Attempts During Vajpayee's Government (1998-2003):**

- The Atal Bihari Vajpayee-led NDA government made several attempts to pass the Women's Reservation Bill in the 12th Lok Sabha in 1998 and subsequently reintroduced it in 1999, 2002, and 2003. However, the bill did not receive sufficient support and lapsed each time.

##### **UPA Government's Push (2004-2010):**

- It was included in the Common Minimum Programme, and the government tabled it in Rajya Sabha in May 2008 to prevent it from lapsing again.

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- This version of the bill included five of the seven recommendations made by the 1996 Geeta Mukherjee Committee.
- The bill went through various stages, including committee review, and eventually passed in the Rajya Sabha with 186-1 votes on March 9, 2010.
- However, the bill was never taken up for consideration in the Lok Sabha and eventually lapsed in 2014 with the dissolution of the Lok Sabha.

## Need of Women's Reservation Bill

- According to *Global Gender Gap Report 2021*, India has declined on the *political empowerment index by 13.5 percentage points, and a decline in the number of women ministers, from 23.1% in 2019 to 9.1% in 2021*. It is acknowledged even by the Government's Economic Surveys that women's representatives in Lok Sabha and the legislative assemblies are abysmally low.
- The various surveys do indicate that *women representatives from Panchayati Raj have worked commendably 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 India.

## Key Provisions of Women's Reservation Bill (Constitutional Amendment), 2023:

- The bill, officially known as the '*Constitution (One Hundred and Twenty Eighth Amendment) Bill, 2023*.  
The bill seeks to introduce *three new articles and one new clause* in the Constitution:
- **New Clause in 239AA:** Seats shall be reserved for *women in the Delhi Legislative Assembly*, with one-third of the seats reserved for Scheduled Castes (SCs) also being reserved for women. One-third of the total seats to be filled by direct elections shall be reserved for women through a law determined by Parliament.
- **New Article - 330A:** Reservation for *women in the Lok Sabha - One-third of seats reserved for SCs and Scheduled Tribes (STs) shall also be reserved for women*. One-third of the total seats to be filled by direct elections to the Lok Sabha shall be reserved for women.
- **New Article - 332A:** Reserved seats for women in every state Legislative Assembly, with one-third of seats reserved for SCs and STs also being reserved for women. *One-third of the total seats to be filled by direct elections to the Legislative Assembly shall be reserved for women*.
- **New Article - 334A:** Reservation shall come into effect after delimitation is undertaken after the relevant figures for the first census have been published. Rotation shall take effect after each subsequent exercise of delimitation.
- There is *no mention of reservation of seats for women in Rajya Sabha*.
- The bill specifies that the reservation for women *shall cease to exist 15 years after the commencement of the amendment act*.

## Features of the Proposed Bill:

- **Reservation Quota:** The bill proposes to reserve 33% of seats in both the Lok Sabha and state legislative assemblies for women. This quota is a form of affirmative action aimed at addressing historical gender imbalances in political representation.

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- **Constitutional Amendment:** Implementing this reservation quota would require a constitutional amendment, requiring a special majority in both houses of Parliament.
- **Rotation System:** The bill includes a rotation system for reserved seats, ensuring that they rotate among different constituencies in successive elections. This prevents the concentration of reserved seats in specific areas, promoting geographic and demographic diversity among women representatives.

## Significance of the Women's Reservation Bill:

PM Narendra Modi referred to **September 19 as a "historic day" and urged the Opposition to pass the bill unanimously.** He emphasized that this decision marked the beginning of opening gateways for women's empowerment in Parliament. He highlighted that the '**Nari Shakti Vandan Adhinyam**' (**Act to worship women's power**), **would further empower India's democracy.**

- Currently, women account for approximately half of India's 950 million registered voters but hold only 15 percent of parliamentary seats and about 10 percent of seats in state legislatures.

If approved, **the number of women Members of Parliament (MPs) in the Lok Sabha will increase from the current 82 to 181.**

- **Gender Equality:** The bill addresses historical underrepresentation of women in politics, promoting gender equality in political representation and decision-making.
- **Empowerment:** It empowers women by granting them equal access to the political arena, breaking down barriers and enhancing their political skills.
- **Inclusive Governance:** Increasing women's participation in politics promotes inclusive governance by bringing diverse perspectives to policy decisions.
- **Diverse Perspectives:** Increased female representation brings attention to gender-specific issues, enhances decision making, and contributes to social and cultural change.
- **Inspiration:** The bill can inspire more women to enter politics, encouraging a new generation of female leaders.

## Challenges Hindering the Bill's Passage:

- **Patriarchal Societal Norms:** India's patriarchal societal norms may lead to women being perceived as representatives of their male family members or husbands rather than as independent political leaders prioritize the interests of their male relatives or follow the directives of male politicians. **Proxy representation** refers to a situation where women elected to political office are perceived as representing their male family members or a particular interest group rather than representing women as a whole
- **Limited Autonomy:** In decision-making their ability to voice concerns specific to women's issues may be constrained by party objectives.
- **Lack of Political Experience:** Many women entering politics through reservations may lack prior political experience or exposure, making them vulnerable to external influences. Inexperienced women politicians may rely on male counterparts for guidance, leading to proxy representation.

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- **Political Parties' Influence:** Political parties play a significant role in candidate selection. They may field women candidates who are seen as more compliant and less likely to challenge party leadership.
- **Lack of Supportive Ecosystems:** Inadequate support systems, including childcare facilities and gender-sensitive workspaces, can hinder women's active participation in politics. The absence of support can make it challenging for women to balance their roles as representatives and caregivers during needy times.
- **Tokenism:** Tokenism occurs when women are included in politics merely to fulfill quotas without genuine support or recognition of their contributions. Tokenistic representation can lead to symbolic rather than substantive change.
- **Lack of Consensus:** Building consensus among diverse political parties is challenging due to varying stances and electoral strategies. Some parties and leaders express concerns about the bill potentially diluting existing reservations for marginalized communities. This creates conflicts of interest.

## Way forward:

- **Consensus Building:** Bringing political parties together through negotiations is crucial.
- **Public Awareness:** Raising awareness about the bill's positive impact and contribution to inclusivity is essential.
- **Advocacy:** Women's rights organizations, activists, and civil society groups can play a vital role in advocating for the bill.
- **Addressing Concerns:** Acknowledging and addressing concerns raised by opposing parties, including developing a fair rotation system, can alleviate opposition.

## Conclusion

The Women's Reservation Bill represents a significant step **towards gender equality in Indian politics**. Overcoming political challenges and societal norms is vital for its successful implementation, and advocacy, public awareness, and **consensus-building efforts are essential to move forward this important legislation**.