



## WOMEN'S RESERVATION IN PARLIAMENT - GS II MAINS

**Q.** 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. Discuss the above statement in light of the 106th Constitutional Amendment Act. (15 marks, 250 words)

**News:** *LS clears Bills for women's quota in J&K, Puducherry Assemblies*

### What's in the news?

- The Lok Sabha passed two Bills to extend the provisions of the Constitution (106th Amendment) Act – that grants 33% reservation for women in Parliament and State legislatures – to the Union Territories of Puducherry and Jammu and Kashmir, but the debate was dominated by Supreme Court verdict on the abrogation of Article 370.

### Features of the Women Reservation Act (106th Constitutional Amendment Act, 2023):

#### 1. Reservation for Women:

- The primary objective of the bill is to **provide 33% reservation for women** in both the **Lok Sabha and the State Legislative Assemblies** across India.
- This means that one-third of the total seats in these legislative bodies would be reserved exclusively for women candidates.

#### 2. Applicability to SCs and STs:

- The reservation for women **extends to seats that are reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs)** in the Lok Sabha and State Legislative Assemblies as well.
- This ensures that women from marginalized communities also have an opportunity to participate in the political process.

#### 3. Rotational Reservation:

- The bill stipulates that the seats reserved for women will be **rotated after each delimitation exercise**.
- Delimitation involves the adjustment of territorial boundaries and the allocation of seats based on population changes.
- This rotation ensures that women candidates have a chance to represent different constituencies over time.

### History of the Women Reservation Bill:

The Women's Reservation Bill had been introduced in Parliament several times but had not yet been passed into law. Political debates and delays have hindered its progress.



- **1996:** The first iteration of the Women's Reservation Bill was presented to the Lok Sabha as the 81st Constitutional Amendment Bill in September 1996.
  - The Bill was referred to a Joint Parliamentary Committee headed by Geeta Mukherjee after the House rejected it, and the committee's report was presented to Lok Sabha in December 1996. With the Lok Sabha's dissolution, the bill, however, became lapsed.
- **1998:** The bill was reintroduced in the 12th Lok Sabha in 1998, however, the bill lapsed because it did not receive adequate support.
  - It was reintroduced three more times in 1999, 2002, and 2003. The bill did not win a majority of votes despite having support from major political parties.
- **2008:** The bill was introduced in the Rajya Sabha again in 2008. It was approved with 186 votes to one. However, it was never brought up for discussion in the Lok Sabha and became inoperative upon the dissolution of the 15th Lok Sabha.
  - The Parliament's inability to pass this Bill was due to several factors, primarily stemming from societal attitudes that don't recognise women as leaders and the belief that women are hesitant to run alongside male candidates.

## **Advantages of the Women Reservation Act:**

### **1. Promote gender equality:**

- Women's active political participation is crucial in their fight against the abuse, discrimination, and inequality they face, and in promoting gender equality.

### **2. Inclusive political participation:**

- Sustainable progress towards human development indicators relies heavily on women's political participation.
  - **Only 14% of the parliamentarians in India are women.**

### **3. Better national development:**

- Women's political participation can inspire them to work towards creating a more equal and better society, leading to inclusive national development.

### **4. Eliminate gender Discriminations:**

- Eliminating gender discrimination and empowering women, as outlined in the Preamble and Constitution of India, is integral to promoting equality of rights and freedoms.

### **5. 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.

## **Criticism against the Women Reservation Act:**

### **1. Concerns About Perpetuating Gender Disparities:**

- This approach would uphold the existing gender disparities, as it might suggest that women are not being judged based on their qualifications.



## 2. Restricts Voter Choice:

- Reserving parliamentary seats for women restricts voter choice. Some experts suggest alternatives like party reservations.

## 3. Delay Due to Delimitation:

- The primary concern raised by the opposition is the linkage of women's reservations with the periodic delimitation exercise.
- The last delimitation order was issued in 2008, and there is a freeze on seat readjustment until the figures of the first Census held after 2026 become available.

## 4. Lack of OBC Reservation:

- Another significant issue raised by the Opposition is the absence of a separate reservation for OBCs in the Women's Reservation Bill.
- While the bill provides reservations for SCs and STs, it does not include a specific provision for OBCs, despite their significant population representation.

## WAY FORWARD:

### 1. Timely Delimitation:

- The government can work on conducting the delimitation exercise promptly after the general election due in 2024, as stated by Home Minister Amit Shah.
- This would ensure that women's reservation becomes a reality sooner.

### 2. Inclusive Consultations:

- The concerns regarding the absence of a separate reservation for OBCs should be addressed through inclusive consultations and discussions with political parties and stakeholders.

### 3. Research and Data:

- Continued research on the impact of women's reservation at various levels of governance can provide evidence of its positive effects.

### 4. Political Consensus:

- Building consensus among political parties and garnering bipartisan support for the Women's Reservation Bill is essential.
- This can be achieved through dialogue, negotiations, and compromise to address the concerns of different parties.