

20– 09 – 2023

- News: Govt. introduces women's quota Bill in Lok Sabha; PM calls for a consensus
- In a historic move after the Special Session shifted to the new Parliament House on Tuesday, the Narendra Modi government introduced the women's reservation Bill in the Lok Sabha to reserve one – third of the seats in the Lower House and the Assemblies for women.
- The Constitution (One Hundred and Twenty Eighth) Amendment Bill, 2023, however, would be implemented only after the 2026 delimitation exercise using data from the Census to be conducted after the passage of the Bill this year.

Women Reservation Bill - Constitution (One Hundred and Twenty-Eighth Amendment) Bill

- Recently, the Women's Reservation Bill has been tabled in Lok Sabha as the Constitution (One Hundred and Twenty-Eighth Amendment) Bill.
- In the **Lok Sabha and State Legislative Assemblies, women would receive 33% of the seats under the introduced legislation.**
- **Articles to be amended:** To **achieve the goal of women's reservation, the Bill proposed Amendments to the Constitutional provisions with respect to**

the NCT of Delhi – Article 239AA (Special provisions with respect to Delhi),

- **New Articles to be inserted:** The Women's Reservation Bill also introduced three new articles, namely Articles 330A, 332A, and 334A.
- The Articles 330A and 332A newly proposed articles want to establish women's reservation in the Lok Sabha and state legislative assemblies.
- Article 334a included a sunset provision that would gradually end this affirmative action policy after 15 years.
- **Horizontal women's reservation:** It is noteworthy that the bill included provisions for horizontal reservation that cut across different quota categories.
- Particularly, women from the Scheduled Caste (SCs) and Scheduled Tribes (STs) are proposed to have one-third of the seats allocated for SCs and STs in the Lok Sabha and legislative assemblies.
- These efforts are aimed at increasing women's participation in the legislative process, even among groups that have historically been underrepresented.
- **Rotation of seats:** The designated seats for female lawmakers may be distributed by rotation to various constituencies within a state or union territory.
- **Majority required:** The Women Reservation Bill would require a special majority of the Parliament and ratification by half of the states. That is a

two-thirds majority in both the Houses of Parliament and the approval from at least 50% of states.

- **Earliest implementation:** However, the earliest moment when one-third of the seats in the Lok Sabha is likely to be occupied by women in 2029.
- This is because the Bill says that the “provisions relating to the reservation of seats for women shall come into effect after an exercise of delimitation is undertaken for this purpose after the relevant figures for the first census taken after (the Bill is passed) have been published.”
- This provision of the fresh census and delimitation exercise was not part of the Women’s Reservation Bill passed by the Rajya Sabha in 2010.

Other Constitutional Amendments Needed to Operationalise the Scheme of Women Reservation

- Article 82 and Article 170(3) of the Constitution would need to be changed in order to implement delimitation, which is a requirement for the implementation of reservations.
- Article 82 has provisions for the readjustment of constituencies (number and boundaries) of both the Lok Sabha and state Assemblies after each Census.
- Similarly, Article 170(3) deals with the composition of the state Legislative Assemblies.

Women’s Reservation in Panchayats

- Article 243D of the Constitution has a provision for the reservation of seats for SCs, STs, and women in Panchayats.
- It also says that nothing in this part shall prevent the legislature of a state from making any provision for the reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of the backward classes of citizens.
- According to the provisions of Article 243D, women are required to hold no less than one-third of the seats reserved for SCs and STs.