



# Women Reservation – A step towards Inclusivity and Diversity

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**“Empowering women is not a matter of charity, it is a matter of justice and human rights”**

**-Justice Leela Seth (First women Chief Justice of High Court in India)**

Women empowerment is an essential human right of a women giving her autonomy and freedom to make her own decisions. Out of various socio-economic factors which are an enabler of women empowerment, education and having a productive skill set is unquestionably a factor which brings her closer to self-empowerment. Women comprise nearly 48 % of the population of India and yet there is a large number of them who are still lacking in necessary educational and vocational skills. The adult literacy rate for females in rural areas is 50.6% vis-a-vis 76.9% in urban areas whereas for males the same in rural areas is 74.1% vis-a-vis 88.3%.<sup>1</sup>.

In today's era of feminism, Women are proving their mettle in every field. We see Priya Niar, CEO Hindustan Unilever Ltd to Shivangi Singh, female Rafale fighter pilot, Arundhati Bhattacharya, former CEO State Bank of India to Shirisha Bandla, Aeronautical engineer and Astronaut, the list is endless. Larger representation of women will catalyze the economic growth and overall development of the nation.

Although we are seeing women leaders in almost every field, yet there is a long way to achieve women empowerment in India. Increasing women's participation in politics and thereby having adequate representation of women in legislative bodies has been accepted as very critical in achieving real women empowerment. When there will be greater number of women policy makers, the key issues and diverse perspectives, which get ignored otherwise, will come into focus and usher in a more inclusive development of the nation. However, the representation of women legislators in present Lok Sabha (2024-2029) is 13.6% which is lesser than the previous Lok Sabha (2019-2024) which stood at 14.4%.

The Inclusion of Women in Parliament eluded her ever since Independence of India. On attaining Independence, as a part of transfer of Power plan from the British Government to the Indian Leaders, The British Government proposed the formation of a Constituent Assembly. It was formed on 9<sup>th</sup> December 1946 and its purpose was to frame a Constitution that will set up the ideals, values, postulates and salient features on which the dominion of India will stand, walk and run. The Assembly consisted of 299 members out of which there were 15 women members. Some of them were Dakshayani Velayudhan, Begum Aizaz Rasul, Durgabai Deshmukh, Hansa Jivraj Mehta, Kamla Chaudhry, Leela Roy, Malati Choudhury, Purnima

Banerjee, Rajkumari Amrit Kaur, Renuka Ray, Sarojini Naidu, Sucheta Kriplani, Vijaya Lakshmi Pandit and Annie Mascarene. This was an important milestone in having women's participation in drafting a key document i.e., Constitution which will guide the various organs of state to achieve 'Liberty, Equality, Fraternity'

The framers of Constitution have debated on various aspects of Constitution. One of the poignant debates have been on reservation of seats in the Parliament and legislative assemblies of various States to women candidates only. However, the women members were of the opinion that special reservation of women or religion would lead to deeper separatism within the society. In The Constituent Assembly Debates Dr. Pattabhi Sitarammaiah has said that, "I admire the women who in the Provincial Model Constitution Committee and in the Central Constitution Committee came forward and said, "No separate electorate for women, no reservation for women".<sup>2</sup>

### **Women Reservation in Rural (Panchayati Raj Institutions) and Urban Local bodies**

In 1992, the passage of 73<sup>rd</sup> and 74<sup>th</sup> Amendment Acts of the Constitution was a groundbreaking event. It has not only given effect to Article 40 of Directive Principles of state policy to establish local self-government at the grass root level of both rural and urban areas but also decentralized the governance taking it to the substratum.

In the 73<sup>rd</sup> Amendment Act Part IX and Schedule 11 were added 'providing for a Constitution, Composition, Election, duration and powers and responsibilities of a Panchayati Raj Institution in rural areas, whereas,

In 74<sup>th</sup> Amendment Act Part IX-A and Twelfth Schedule was added providing for Composition, Election, duration and powers and responsibilities of municipalities in Urban areas.

Concomitant to the above amendments, Article 243D and 243T were added to the Constitution which provided for minimum 33% reservation to women (belonging to SC & ST categories) in rural and urban local bodies respectively. However, the states were given the freedom to reserve the seats in favour of Backward classes also.

This drastic step, though a morale booster, brought an ignorant and inexperienced women of a village, from her kitchen into the political fray. "If women want to advance in society they first have to fight within their families against the men and the elders. First they have to fight within the family and then in society. The main things are the traditions and the customs in society. There are so many limitations and boundaries and before crossing them every woman has to think a 100 times"<sup>3</sup> Their lack of confidence has led to the appellation of *Sarpanch-pati* (well depicted in a popular web series Panchayat) where though the elected head is the women but she is a mere signing stamp and under her guise the husband takes all the administrative decisions. They are mere faces of their husband or sons or son-in laws. Where there are capable and well-read women who are efficiently discharging their duties, their paths are not free from hurdles. Though "men officially respect female politicians because they have to behave in society, but that it often is lip service. Though they support the introduction of reservation, but the conservative mentality creates a lot of difficulties for the elected women."<sup>4</sup>

However, with the passage of time, Women have been able to fit themselves into the leadership roles and acquire decision making skills. Studies have shown that women's representation in local governments, such as panchayats in India, has led to more gender-sensitive policies and improved access to resources for women. According to the data on the website of Ministry of Panchayati Raj, women representatives hold 45.6 percent (1454488 seats out of a total of 3188981) seats and offices in the PRIs in the country (panchayat.gov.in).<sup>5</sup>

### **Timelines for passage of Women Reservations Bill**

After the dream of Independence was achieved and the Constitution came in force the demands for Women Reservation in the Parliament and State Assembly seats were palpable. In 1979, Convention on elimination of all forms of discrimination against woman by the United Nations (CEDAW), of which India is a signatory, mandated the eradication of gender based discrimination in political and public spheres. Later in 1988, The National Perspective Plan for women proposed that Women must have a political Representation and in achieving this their reservation in Parliament and Legislative Assemblies is pertinent.

In 1989, Rajiv Gandhi initiated the idea of reservation of 1/3<sup>rd</sup> seats in the both Rural and Urban Local Bodies. The bill was passed in Lok Sabha but could not be passed in the Rajya Sabha.

Subsequently, In the year 1992, Prime Minister P. V. Narsimha Rao re-introduced the bill and the 73<sup>rd</sup> and 74<sup>th</sup> Constitution Amendment Acts. These bills reserved 1/3<sup>rd</sup> seats in Urban and Rural Local Bodies. Both the bills were successfully passed by Lok Sabha and Rajya Sabha and led to large number of representation of women in various Village Panchayat Level and Nagar Palika level.

In 1996, the United Front Government, introduced the 81<sup>st</sup> Constitution Amendment Bill, seeking reservation of seats for Women in Parliament but unfortunately the bill was not passed in the Lok Sabha and was referred to Joint Parliamentary Committee headed by Geeta Mukerjee. The Mukerjee Committee submitted its report in December 1996, however, The Lok Sabha was dissolved soon after that.

In 1998, During the tenure of Atal Bihari Vajpayee, the Women reservation Bill was introduced in 12<sup>th</sup> Lok Sabha. However, it failed to gather support and lapsed in the Lok Sabha. The Bill was introduced again in 1999, 2002, 2003 under the Vajpayee government but never succeeded.

In 2004 the bill gained momentum in the Manmohan Singh led Government and was included in the Minimum Common Programme. In 2008, it was tabled in the Rajya Sabha, where it was passed by 186-1 votes on March 9, 2010. However, it was never tabled in the Lok Sabha and waited for its fate until it lapsed with the dissolution of the Parliament.

### **Women Reservation Act, 2023**

The 106<sup>th</sup> Constitution Amendment Bill, which was the first bill to be passed in the new Parliament (Central Vista) ushered in the Historic Women Reservation Bill (Nari Shakti Vandan Adhiniyam). It aims to allocate 1/3<sup>rd</sup> seats to women in Parliament, State Legislative assemblies and also Delhi Legislative assembly. It was passed in both the upper house unanimously with 214 votes and lower house of Parliament with 454 votes in favour and two against and received the assent of the President on 28<sup>th</sup> September, 2023. The reservation shall come in effect in the elections that will be held after the delimitation process.

The delimitation exercise is a process of re-calculating the number of Legislative Constituencies and Parliamentary Constituency in accordance with the new Census. Thus, the Women Reservation is contingent to the completion of Census, which will be undertaken in two phases beginning from 1<sup>st</sup> March, 2026.

### **Is Reservation for women necessary?**

Historically and in some parts of India even today, the women have limited access to education, which has hindered their ability to have a foresight. Due to this they also suffer from low self-esteem and low confidence. They lack initiative and drive to break the glass ceiling. Even though there have been improvements in recent

years, and plenty of schemes such as Beti Bachao, Beti Padhao, DWACRA program, many women still lack the necessary education and skills.

Increased participation of women in policy-making leads to more inclusive and responsive policies, with a greater focus on issues like healthcare, education, and economic opportunities. Women in leadership positions often promote transparency and accountability in governance, contributing to better overall governance. This participation also challenges traditional gender norms and stereotypes, ultimately contributing to broader societal change and a more equitable society. It's crucial to move beyond symbolic representation and ensure women have substantive participation in decision-making processes. This includes addressing systemic barriers that hinder women's full participation. When women are involved in policy-making, they bring diverse perspectives and experiences that are often overlooked, leading to policies that better address the needs of all members of society, especially women and girls.

The Nordic [ Norway, Iceland, Sweden, Denmark and Finland] countries are known for high levels of women's representation in politics, particularly in parliaments. In 2023, all five Nordic countries had a share of around 45% women in their parliaments, with Iceland slightly ahead at 47.6%. This surpasses the world average and is significantly higher than many other regions.

An increase in female participation is directly associated with an increase in GDP. A research on this impact in the Nordic countries has recorded that 'female employment account for around 10-20% of all growth in GDP per capita in the Nordic countries over the past 40-50 years'<sup>6</sup>

Despite a glorious 75 year of independence, In the 18<sup>th</sup> Lok Sabha (2024-2029) there are only 74 Women Candidates which is 13.6 percent of the total strength of Parliamentarians. With the introduction of reservation and larger participation of women (33%), not only will the women get her share which is long overdue but also empower her to carve a path that's her own, a world that's her own.

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  2. Constituent Assembly Debates , [www.eparlib.nic.in](http://www.eparlib.nic.in)
  3. Women in the Panchayats: A study of gender structures and the impact of the 73<sup>rd</sup> Amendment to the Indian Constitution by Johan Redlund, Department of Political Science Lund University, Sweden
  4. Ibid
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