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**DAILY EDITORIAL
ANALYSIS**

TOPIC

Bridging the gap: On India's Gender
Inequality

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BRIDGING THE GAP: ON INDIA'S GENDER INEQUALITY

In Context

- The Constitution (**One Hundred and Twenty-eighth Amendment) Bill, 2023**, also referred to as the **Nari Shakti Vandan Adhiniyam** has been passed in both the Houses of Parliament.

History of Women's Reservation in Indian Politics

- **Post Independence:**
 - ♦ No voices were raised in favour of reservations for women in India's politics in the Constituent Assembly.
 - ♦ No change in attitude was visible until the 1970s and the shocking findings of the **1974 'Towards Equality' report** of the **Committee on the Status of Women in India**, which declared that women were turning into a **minority**.
- **Reservation in the Panchayati Raj institutions and urban Local Bodies:**
 - ♦ The 73rd & 74th Constitutional Amendment Act provided a total of one-third of seats to women including the reserved seats for the SCs and STs.
 - ♦ It also gave one-third of the total number of offices of chairperson reserved for the women.
- **Attempts to create a quota for women in the legislature:**
 - ♦ Attempts to create a quota for women have been ongoing since the mid-1990s.
 - ♦ In March 2010, Rajya Sabha passed The Constitution (One Hundred and Eighth Amendment) Bill, 2008, but the legislation was not taken up by Lok Sabha.
- **Gender-neutral procedures and language:**
 - ♦ In 2014, under the leadership of the then Speaker of the Lok Sabha, the **Rules of Procedure of the Lok Sabha** were made entirely **gender-neutral**.
 - ♦ Since then, each Lok Sabha Committee Head has been referred to as **Chairperson (not chairman)** in all documents.
- **Women Leaders in Politics:**
 - ♦ India had and has charismatic female leaders like Indira Gandhi, Jayalalitha, Mayawati, Sushma Swaraj and Mamata Banerjee among several others.
- **The 2019 general election** was a historic moment for women's politics.
 - ♦ It saw **78 women elected** to the lower house of Parliament for the first time since independence where **only 22 women were present** in the 543-member Lok Sabha.
 - ♦ This number is still not representative of the actual proportion of women in the country.

Recently passed Women's Reservation Bill highlights

- **Representation of women in India's legislatures:**
 - ♦ The Bill noted that though **women participate substantially** in **Panchayati Raj Institutions and municipal bodies**, their representation in the State legislatures and in Parliament is still limited.
 - ♦ **Women MPs** constitute a **mere 15% of the Lok Sabha** and only account for about **10% of members in many State Assemblies**.
- **Reservation to women:**
 - ♦ **The Constitution (One Hundred and Twenty-eighth Amendment) Bill, 2023** to provide **33 per cent reservation to women** in Lok Sabha and state Legislative Assemblies.
 - ♦ According to The Constitution (One Hundred and Twenty-eighth Amendment) Bill 2023, "as nearly as may be, one-third (**including the seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes**) of the total number of seats to be filled by direct election to the House of People shall be reserved for women".
 - ♦ The Bill proposes a similar provision for **Assemblies in the states and Delhi**.

- **Introduction of Articles:**

- ♦ It proposes to introduce new articles — **330A and 332A** — in the Constitution.
- ♦ These new provisions **will introduce the changes for Lok Sabha and Assemblies** respectively.

- **Need of Delimitation exercise:**

- ♦ The Bill makes the implementation of women's reservation contingent upon the delimitation process.

- **Sunset clause:**

- The bill also has a sunset clause, mandating that the reservation will be for a period of 15 years from the date of commencement of the Act.

Challenges & criticisms

- **Vague in nature:**

- ♦ Opposition groups have rightly pointed out that the Bill has been presented late in the day, and that too with various conditionalities attached, which make actual implementation vague.

- **Delimitation process & delay:**

- ♦ The upshot of these conditions is that women's reservation **may not effectively be operationalised** in Lok Sabha before the **general elections of 2029**.
- ♦ The **42nd Amendment** froze the delimitation exercise until the results of the first Census after 2000 was published. In 2001, this was further extended for 25 years. And now, delimitation would happen after the results of the first Census after 2026 is published.

- **No arrangements for implementation:**

- ♦ Some even wonder whether arrangements for implementation will be in place by 2029.
- ♦ Thus, the future of women's reservations remains uncertain even though it is now the law.

- **Need of specifications:**

- ♦ The Bill states that one-third of the seats in Parliament and state Assemblies will be reserved for women. However, it doesn't specify how these seats will be identified.

- **Need of enactment of a law:**

- ♦ This proposed constitution amendment is enabling in nature. In other words, it will grant the government the power to enact a law for its implementation.
- ♦ Hence, it is expected that the determination of seats will be addressed by a separate law that the government will introduce.
- ♦ **For Example**, for **delimitation** — which is a precondition for the implementation of reservation — **Articles 82 and 170(3)** of the Constitution would have to be amended.

Way ahead

- It is imperative that the reservations policy for women recognises the **multiple and unequal forms that patriarchy** takes in excluding women from public life.
- It is equally important to guard against the idea that the mere presence of women in electoral politics will translate into women's equality and freedom.
- Given the current ideological climate, the **new law is not an achievement but a challenge**.
 - ♦ The **long waiting period** before it takes effect should be a time for re-examining our ideas and beliefs about how the electoral presence of women might translate into a more egalitarian ethos.

DAILY MAINS QUESTION

The mere presence of women in electoral politics will not translate into women's equality and freedom. Analyse

