

Critical Aspects behind Women Representation in Panchayati Raj and 108th Constitutional Amendment (Women's Reservation Bill)

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ABSTRACT

The 73rd constitutional amendment provides women reservation in PRIs election and many states like Bihar, Rajasthan are giving 50 percent reservation in PRIs. After the long demand and after many committee's recommendation Panchayati Raj System get constitutional status. Unfortunately, 108th constitutional amendment could not pass in parliament which was related to 33 percent women's reservation in Parliament and states. Lack of political will and seriousness no political party strongly supported for 33 percent women reservation and it is very hard fact that many political parties directly opposed the 108th constitutional amendment. There are many aspects being it is being discussed in this research paper it will realize the many reason behind noncorporation of political party in women reservation bill in Parliament. It is noticeable thing that many states taken many steps for women empowerment while opposing for women reservation in state's legislative assembly. There is need to understand the why some political party and state are not willing to give reservation in legislative body of central and state's legislative body.

Keywords- 73rd constitutional amendment, Women's Reservation Bill & 108th constitutional amendment, Women Empowerment

I. INTRODUCTION

The women's empowerment and 73rd constitutional amendment is now important to ensure women's representation at grass root level democracy. At the present time approximately twenty states provisioned for 50 percent women's reservation in PRIs and interestingly it became a way to empower women through PRIs women's reservation in 73rd constitutional amendment. PRIs election. It is very optimistic that due to caste-based women's reservation policy in PRIs constitutional provisions many deprive section of society getting representations in village. Unfortunately, due to patriarchal mindset women are still facing challenge to contest PRIs election as well as to work as a PRIs representative in village. There are many things which is really problematic for women empowerment in India. The main concern of this research paper is to show how central government as well as state government are not willing to give women reservation in legislative body while women reservation policy in PRIs positively impact

on women's empowerment at village level.

II. MATERIAL AND METHODOLOGY

The research is based on secondary data. In this research paper election commission of India data is being used to understand the women representation in legislative body in India. In this research Quantitative research approach used to see the real figure of women representation in state's legislative and parliament. The report and secondary data of Asian Development Research Institute is being used to get this research paper finding and that is related to core subject less women representation in parliament and state's legislative body. The previous research article and news article is being used to conclude the finding and to correlate the Quantitative research approach and the qualitative research approach.

III. DISCUSSION

A. Lack of will to adopted women's reservation policy in legislative body

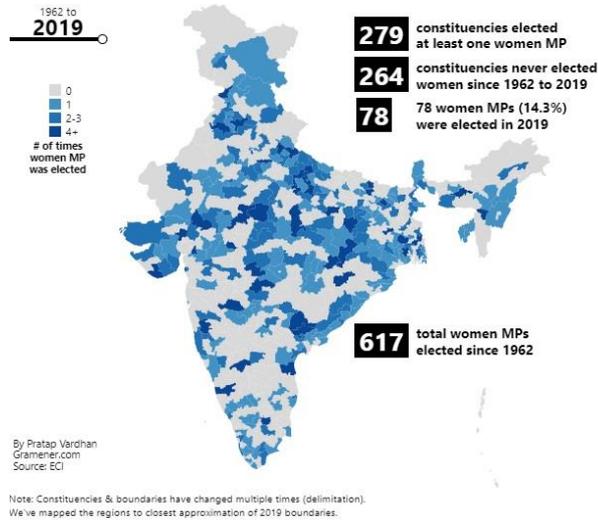
➤ Women's representation in parliament

It is important to realize such things that many states are now provisioned for 50 percent of women reservation in PRIs election and many researches showing that really women's representation at village positively impact in women's empowerment. There are a lot of signs which is already proven that representation is essential for women's empowerment. But there is contradiction between women's reservation policy in PRIs and no women's reservation policy state legislative assembly and parliament. The Global Gender Gap report claims that the widest gender disparity is in the field of political empowerment.¹ According to inter-parliamentary union 2018 report, only 24 percent women MP's around the world. It is very unfortunate that after 2019 Lok Sabha election 78 women MPs (14.3%) were elected.² In this below image it is easily to understand such fact that.

¹Sukhmani Karan Singh Gandhi, '108th Constitutional amendment (women Reservation) Bill: A Forgotten "necessity"', The times of India, July 27,2019

² Sruthi Radhakrishnan, 'New Lok Sabha has highest number of women MPs, The Hindu, May 27,2019

A grim picture of Indian Women in Parliament

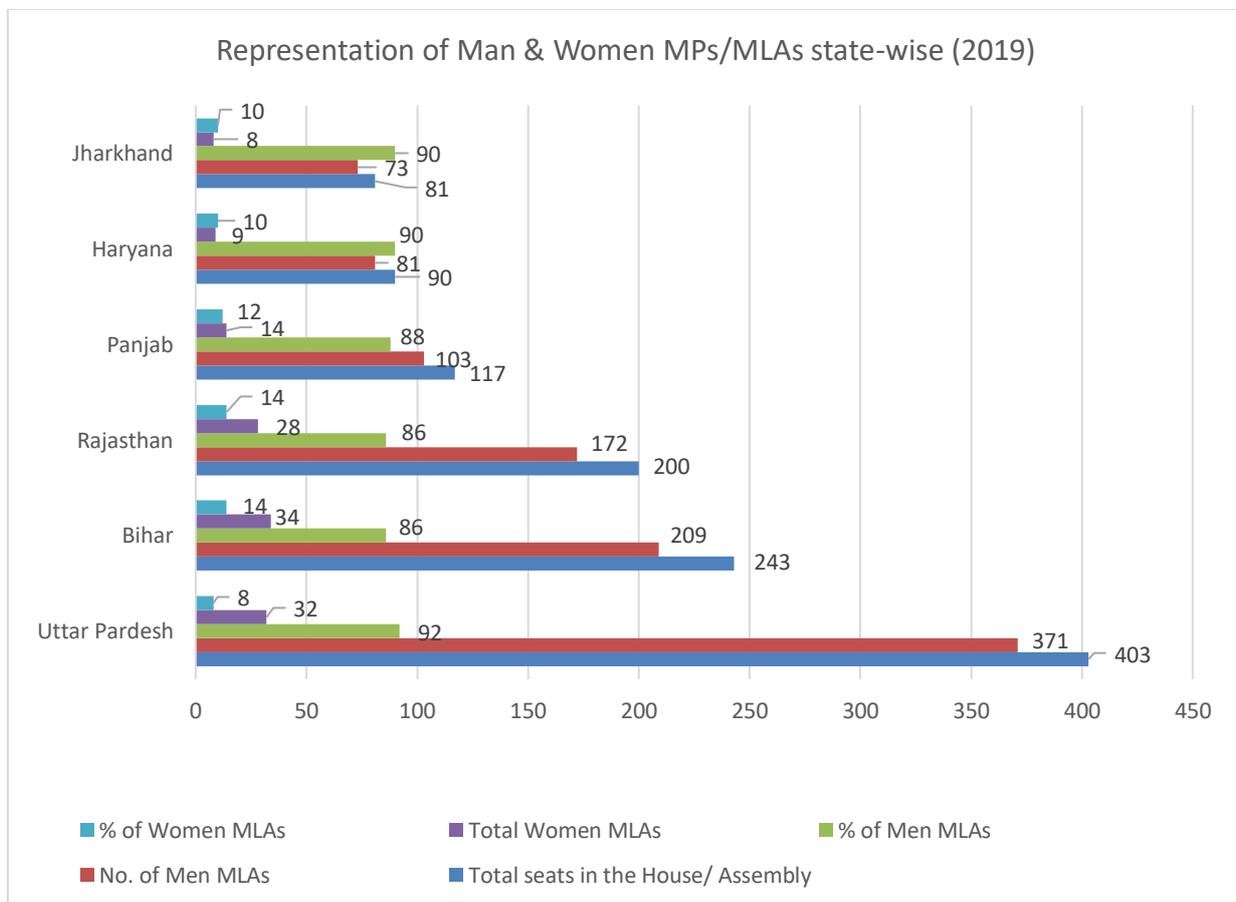


The women’s representation in Parliament was not well after the independence and it was like to continue British legacy in which women had no voting rights. Total 617 women MPs elected since 1962 and after 74year of independent the situation is still not optimistic. While in case of India, it was in 1992, when

the 73rd and 74th Constitutional Amendments introduced local self-governance, it was an unparalleled step to consciously empower women as decision-makers with 1/3rd of the seats reserved for women. Today, 14 states have 50%-58% representation of women in Panchayat Raj Institutions. So, it is the main concern of this research paper central as well as state government hesitate to adopt women’s reservation policy in legislative body.

Women’s Representation in state’s legislative

Many Indian states are not willing to adopt women’s reservation in state’s legislative body. It is very important to consider this fact that if 20 states did provision for 50 percent women’s reservation in PRIs then why these states are not willing to adopt women reservation policy. Bihar state became first state to give 50 percent women’s reservation in Panchayati Raj System but after many years state did not considered for women’s reservation in its legislative body. It is very welcoming steps that Bihar State has provision for 35 percent women’s reservation in sates government recruitment but unfortunately only 14 percent women’s representation in Bihar legislative assembly. How a state government adopted different policy for women’s empowerment.



Source: Asian Development Research Institute

Because if state government provisioned for reservation in PRIs, government job then also should take steps to ensure women's representation in state legislative body. Haryana state is worst state in sex ratio and child sex ratio. Beti BachaoBeti Padhao central government sponsored policy was launched in 2015 at Panipat, Haryana. Beti Bachao Beti Padhao addresses the declining Child Sex Ratio and related issue of women empowerment over a life cycle continuum. Now It is hard to understand the fact that is states has taken many steps to empower the state women then why did not taken steps women's representation in state legislative assembly. There are really not acceptable that if women empowering through PRIs reservation policy then why states are not willing to adopted reservation provisions in states legislative body. In the above figure Uttar Pradesh, Rajasthan, Jharkhand and Punjab states are also doing the same things and did not taken any steps for women's reservation in state legislative assembly. There are many problem and lack of political will behind not providing women's reservation in state's legislative body.

B. Problem Behind women's reservation policy in legislative body

There are many problems behind there is no women's reservation policy in legislative body in parliament as well as in state legislative body. It is very hard to find some absolute aspects behind the hurdle but some problems are really creating obstacle. First of all, there is need to understand the social aspects because women always treated as a subordinate in social life. The decision-making process in the family is an initial phase in which women participate in collective decision process but ironically, women were not being given such pleasure at the family level. patriarchal mindset is main reason behind such problem. unfortunately, most of the land honor are male and financial decision making depends on such aspects because mostly women are not financial dependent and they are not free to take freely decision due to financial dependency and financial burden to tackle any liabilities.

Patriarchal mindset is basic problem in specifically in rural area because in urban area individualism and financial opportunities available for women and it helps in women empowerment. After 73rd constitutional amendment women's representation in rural area became large while formation of Self Help Group really helped in women financial inclusion in rural area. The main concern is that if women's representation ensured the women empowerment why there is no reservation provision for women in parliament and many states legislature body. Central government had attempt to pass 33 percent women reservation through 108th constitutional amendment but did not passed in parliament. The Constitution (108th Amendment) Bill, commonly named as the Women's Reservation Bill, which involved reserving 33% of the seats within the Lok Sabha and state legislative assemblies for women, was cleared by the Union cabinet in February 2010, every

week before it had been passed within the Rajya Sabha. But it's still awaiting a nod from the Lok Sabha. The Bill's journey, however, began much before that on September 12, 1996 – when it had been introduced within the Lok Sabha. As per the draft, the seats were to be reserved for women on a rotation basis and would be determined by draw of lots, in such how that a seat would be reserved just one occasion in three consecutive general elections. It said reservation of seats for women would cease to exist 15 years after the commencement of the amendment Act. The Bill, however, failed to get the approval of the Lok Sabha then and was instead referred to a joint parliamentary committee. The committee submitted its report back to the house two months later. In 1998, Atal Bihari Vajpayee, who headed the primary National Democratic Alliance government, reintroduced the Bill in the Lok Sabha. After Vajpayee's law minister, M. Thambidurai introduced it within the house, a MP snatched it from the speaker and tore it into bits. Thereafter, the Bill lapsed and was reintroduced – in 1999, in 2002 and 2003³. Ironically many women's rights organizations still demanding for women reservation but many political parties avoid to go ahead for women reservations bill.

There are two things which is important to understand, firstly women are not actively participating in politics and they are still chosen by political party as a vote bank. It is fact that many political parties talk about women welfare policy but no willing to give ticket in election. sometime it is true that political parties have no better option for women candidate as compare to male but it is also realities active women political party worker did not get the ticket due to lack of political will and male monopoly in election. Reality is that many sitting MPs and MLA do not wants to lose their seats so they strongly oppose 33 percent reservation constitutional amendment bill.

IV. CONCLUSION

The women's empowerment and 73rd constitutional amendment is now important to ensure women's representation at grass root level democracy. At the present time approximately twenty states provisioned for 50 percent women's reservation in PRIs and interestingly it became a way to empower women through PRIs women's reservation in 73rd constitutional amendment. It is important to understand that women representation became essential in women's empowerment. There are lots of example that women's reservation in Panchayati raj system really positively impact on women empowerment. It is very important to approximately 50 to 58 percent women representation in Panchayati raj in India and a better representation really a perfect way to achieve goal in women empowerment.

³<https://thewire.in/law/nine-years-on-womens-reservation-bill-still-awaiting-lok-sabha-nod>

There is need to understand that central government as well as state government should initiate steps to adopt reservation provision in legislative body.

“It is impossible to think about the welfare of the world unless the condition of women is improved. It is impossible for a bird to fly on only one wing.” — Swami Vivekananda”

According to inter-parliamentary union 2018 report, only 24 percent women MP’s around the world. It is very unfortunate that after 2019 Lok Sabha election 78 women MPs (14.3%) were elected. It means less women representation in parliament and such situation also present in many states. The better aspects of representation are that it provides equal opportunities to raise women related concern in parliament by women representatives. Ironically many political parties see women as a vote bank. In many political party women wings are working to protests against women related political demand but it shows dual mindset on women’s empowerment that these political parties not willing to adopt women reservation policy in state legislative body. So, it is high time to passed women reservation bill and many states should legislate such provisions.

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