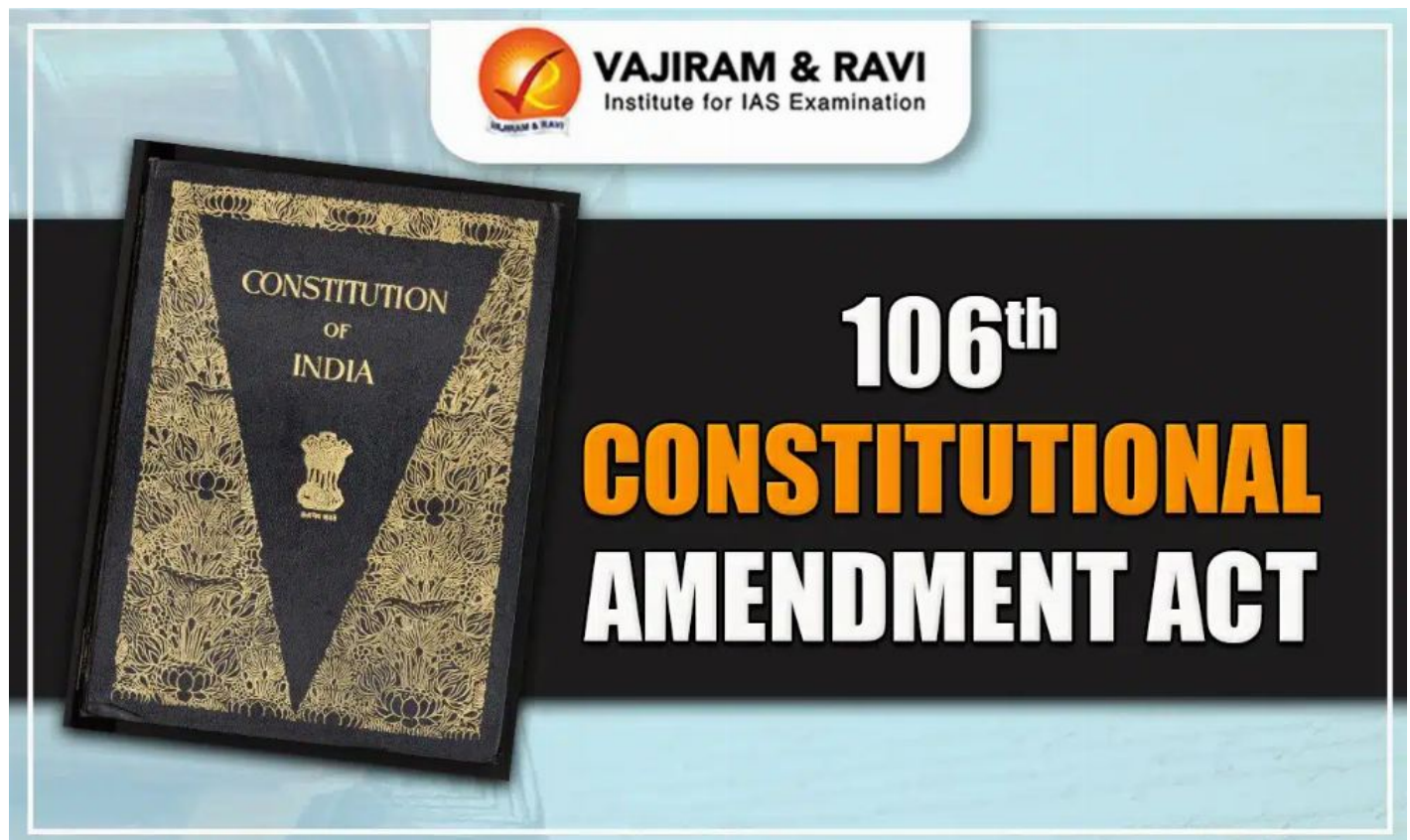


106th Constitutional Amendment Act 2023, Provisions, Concerns

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The 106th Amendment Act, 2023 provided for one-third reservation of seats in the Lok Sabha and State assemblies. The goal was to increase women participation in politics and work on overcoming the challenges associated with the patriarchal political landscape. In this article, we are going to cover the 106th Constitutional Amendment Act 2023.

106th Constitutional Amendment Act 2023

The key highlights of the 106th Constitutional Amendment Act has been listed below:

- The Women's reservation bill has faced many challenges since its introduction.
- The bill was introduced multiple times in both the parliament as well as the state assembly in 1996, 1998, 1999 and 2008.
- The bill lapsed the first three times due to dissolution of assemblies in the **Lok Sabha**.
- The bill finally got passed in 2008 in the Rajya Sabha but again got lapsed in the Lok Sabha due to dissolution.

- In 2023, the Women Reservation Bill, also known as the Nari Shakti Vandan Adhiniyam bill got strong support from both the Lok Sabha as well as the **Rajya Sabha**.
- The bill makes sure that women receive one-third reservation in the Lok Sabha, state assemblies and the Legislative Assembly of Delhi.
- However, the bill will only be implemented after the completion of the decennial census and delimitation of seats.

Women Reservation Act 2023

The Women Reservation Act was introduced for the first time in 1996 in the Lok Sabha. The Bill can be traced on the following timeline:

- The bill has passed by the Parliament in India to provide one-third reservation for women in the Lok Sabha, State Assemblies and the Legislative Assembly of Delhi.
- The bill will be implemented after the delimitation has been conducted.

106th Amendment Act Provisions

The 106th Constitutional Amendment Act has the following key provisions:

- Article 239AA – One-third reservation for women in Delhi Legislative Assembly.
- Article 330A – One-third reservation for women in Lok Sabha, including SC/ST seats.
- Article 332A – One-third reservation for women in State Assemblies, including SC/ST seats.
- Article 334A – Implementation post-delimitation, 15-year sunset clause, with provisions for extension and rotation.

106th Constitutional Amendment Act Concerns

There have been a few concerns related to 106th Constitutional Amendment Act 2023:

- Equality vs. Reservation: Some critics argue that reserving seats for women may conflict with the principle of merit-based competition and equality, as enshrined in the Constitution.
- Restriction on Voter Choice: By mandating the reservation of certain seats for women, the Act may limit the voters' ability to choose candidates freely from the entire pool of eligible contestants.
- Lack of Homogeneity: Women, unlike caste groups, do not form a homogeneous category. Therefore, a uniform reservation policy may not address the diverse challenges faced by women from different socio-economic backgrounds.
- Risk of Proxy Representation: Without deeper political reforms, there is a possibility that women representatives might act as nominal heads, with real political power being exercised by male relatives, as seen in the Sarpanch Pati phenomenon at the Panchayat level.
- Uneven State Impact: The rotation of reserved seats and differences in state-wise implementation could lead to uneven representation and unpredictable political outcomes.
- Exclusion of Upper Houses: The Act does not provide for any reservation in the Rajya Sabha (Upper House of Parliament) or in State Legislative Councils, which means women's representation will remain limited to

directly elected lower houses.

Source: <https://vajiramandravi.com/current-affairs/106th-constitutional-amendment-act/>

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