



Constitutional promise to democratic reality: historical and constitutional analysis of the *Nari Shakti Vandan Adhiniyam*

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ABSTRACT

The *Nari Shakti Vandan Adhiniyam*, 2023 represents a landmark development in India's constitutional commitment to gender equality and political empowerment. This paper examines the historical evolution, constitutional foundations, and contemporary debates surrounding women's reservation in Parliament and State Legislative Assemblies, with particular emphasis on the 2026 implementation debate. It traces the movement from the *Towards Equality* Report (1974), the 73rd and 74th Constitutional Amendments, and repeated but unsuccessful Women's Reservation Bills (1996-2010) to the enactment of the 2023 constitutional amendment. The paper argues that the constitutional discourse has shifted from the normative justification for reservation to questions concerning its implementation through the Census and delimitation process. By analysing parliamentary debates, constitutional provisions, international commitments, and comparative experiences of gender quotas, the study demonstrates that the effective implementation of women's reservation is essential for achieving substantive political equality and strengthening representative democracy.

Keywords: *Women's Reservation; Nari Shakti Vandan Adhiniyam; Political Empowerment; Gender Equality; Constitutional Amendment.*

Introduction

The debate surrounding the Women's Reservation Bill, enacted as the *Nari Shakti Vandan Adhiniyam* through the Constitution (106th Amendment) Act, 2023, remains one of the most significant constitutional and political issues in contemporary India. The passage of the Bill by both Houses of Parliament in September 2023 was widely regarded as the culmination of a legislative struggle spanning nearly three decades. Since its first introduction in 1996, successive governments repeatedly attempted to secure parliamentary approval for reserving one-third of the seats in the Lok Sabha and the State Legislative Assemblies for women, but every effort failed because of political

disagreements over issues such as sub-quotas for Other Backward Classes (OBC) women, rotational reservation, and broader electoral calculations.

Although the enactment of the 2023 law was celebrated as a historic milestone in the constitutional journey towards gender justice and political empowerment, the legislation immediately generated a fresh constitutional and political debate. The Act made its implementation contingent upon two conditions: the conduct of the first Census after the commencement of the Act and the subsequent delimitation of parliamentary and assembly constituencies. While the Union Government defended these provisions as a constitutional and administrative necessity, several opposition parties and women's organisations argued that linking reservation to future Census and delimitation exercises effectively postponed its implementation for an indefinite period. Consequently, the celebration of the legislation soon gave way to renewed political controversy over the government's commitment to ensuring women's political empowerment through the substantive representation in legislatures.

The debate acquired a new dimension during the parliamentary discussions of 2026. The introduction of fresh constitutional and electoral reform proposals relating to delimitation and the implementation framework of the reservation provisions revived the longstanding controversy over whether women's reservation should be made immediately operational or remain dependent upon the completion of the Census and delimitation process. These developments transformed what had appeared to be a settled constitutional question in 2023 into one of the most contested political issues of 2026. The parliamentary debates once again exposed deep differences among political parties regarding the timing, scope, and manner of implementing women's reservation, while simultaneously raising broader constitutional questions concerning electoral justice, federal representation, and democratic inclusion.

Thus, the contemporary debate is no longer centred on whether women should receive political reservation; rather, it concerns when and how the constitutional promise embodied in the Nari Shakti Vandan Adhiniyam should be translated into reality. The 2026 discussions demonstrate that, despite an overwhelming parliamentary consensus on the principle of women's political empowerment, disagreements continue regarding the institutional mechanism and constitutional sequencing for its implementation. Consequently, the issue of women's reservation has once again become intertwined with electoral politics, delimitation, and competing visions of democratic representation.

Women's participation in the political process constitutes one of the most important indicators of the quality and inclusiveness of a democratic system. Political empowerment extends beyond the formal right to vote or contest elections; it encompasses meaningful participation in decision-making institutions, equal access to political opportunities, and the ability to influence

public policy. Although the Constitution of India guaranteed universal adult franchise, equality before the law, and equal political rights to women from the very inception of the Republic, descriptive representation of women in Parliament and State Legislatures has remained disproportionately low. This persistent underrepresentation has long been regarded as a democratic deficit, limiting the inclusiveness and legitimacy of representative institutions (Saini, 2017).

The constitutional commitment to gender equality in India did not emerge in isolation. It was the outcome of a long history of women's participation in the national movement, sustained campaigns for social reform, and evolving international norms concerning women's human rights. Following the adoption of the Convention on the Political Rights of Women (1952) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, the international community increasingly recognised women's equal participation in political and public life as an essential component of democratic governance. Article 7 of CEDAW obliges State Parties to eliminate discrimination against women in political and public life by ensuring their equal rights to vote, contest elections, hold public office, and participate in public affairs (Convention on the Elimination of All Forms of Discrimination).

The momentum for affirmative measures gained further strength through the Nairobi Forward-looking Strategies for the Advancement of Women (1985), followed by the Beijing Declaration and Platform for Action (1995), which urged governments to adopt institutional mechanisms, including electoral reforms and gender quotas, to achieve balanced political representation. These international developments significantly influenced constitutional reforms across the world, leading many democracies to introduce legislative or constitutional quotas to enhance women's representation in elected bodies.

India's own journey towards legislative reservation for women reflects both domestic constitutional evolution and global commitments to gender equality. The successful implementation of one-third reservation for women in Panchayati Raj Institutions and Urban Local Bodies through the 73rd and 74th Constitutional Amendments (1992-93) demonstrated that constitutional reservation could substantially increase women's participation in governance. However, extending similar reservations to Parliament and State Legislative Assemblies remained politically contentious for nearly three decades (Buragohai, 2026).

The contemporary debate of 2026 must therefore be understood within this broader historical and constitutional context. It represents not merely a disagreement over electoral procedure but the latest phase in India's continuing effort to reconcile constitutional ideals of equality with the practical realities of representative democracy. The implementation of women's reservation has

consequently become a test of India's commitment to substantive democracy, gender justice, and inclusive political representation.

The growing demand for legislative reservation for women must also be viewed in the broader context of global efforts to enhance women's political representation. In 1995, when the Beijing Declaration and Platform for Action was adopted, women occupied only about 11.3% of parliamentary seats worldwide. Over the past three decades, this figure has increased substantially, reaching approximately 27-28 per cent by 2026. Although the progress has been significant, women continue to remain underrepresented in legislatures across the world, demonstrating that legal equality alone has not been sufficient to ensure equal political participation. One of the principal factors responsible for this improvement has been the adoption of constitutional and statutory gender quotas. Today, more than 130 countries and territories have introduced some form of gender quota, including reserved seats, legislated candidate quotas, or voluntary party quotas, to promote women's representation in national legislatures. Comparative studies by the Inter-Parliamentary Union (IPU) and UN Women consistently demonstrate that countries adopting legally enforceable quotas have generally achieved significantly higher levels of women's political representation than those relying solely on voluntary political participation (Inter-Parliamentary Union (IPU) and UN Women).

The experience of several developing countries illustrates the transformative impact of constitutional reservations. Rwanda continues to lead the world with women constituting 61 percent of the members of its lower house of Parliament. Similarly, countries such as Cuba 53 percent, Bolivia 53.1% the other developing countries like Mexico, and the United Arab Emirates have achieved either gender parity or near-parity in their national legislatures through constitutional provisions or robust quota mechanisms. In contrast, many established democracies continue to record comparatively lower levels of women's representation. Despite their long democratic traditions, countries such as the United Kingdom 32 percent Canada 26 percent and the United States 23.6 percent have yet to achieve equal representation of women in their national legislatures. These international experiences indicate that affirmative constitutional measures often produce faster and more substantive gains in women's political participation than gradual social and political change alone (Women in Parliament: 1995-2025). The average of women Parliamentarian in India is less than 11 percent even after the 70's years of its Independence there are only 74 women MPs in the present 18 Lok Sabha that is slightly lower than 17 Lok Sabha as there were 78 women Parliamentarians then which highest representation of women in the Parliament since the last 70 years (Statistical Reports of Lok Sabha Elections and Vital Stats, Profile of the 18th Lok Sabha).

India presents a contrasting picture regarding the political empowerment and political participation of women. Although Indian women have enjoyed

universal adult franchise and equal constitutional rights since the commencement of the Constitution in 1950, their representation in Parliament has remained comparatively modest. In the 18th Lok Sabha (2024), women constitute approximately 13.6 per cent of the total membership, with 74 women Members of Parliament elected to the House. This represents a slight decline from the 17th Lok Sabha (2019), which had 78 women Members, the highest number in India's parliamentary history. By comparison, the First Lok Sabha (1952) had only 22 women Members, reflecting the slow but uneven progress made over seven decades. (Ibid) Despite constitutional guarantees of equality, women's parliamentary representation in India has consistently remained well below the global average, thereby strengthening the argument for legislative reservation as an instrument of substantive political equality.

The contemporary debate on the implementation of the Nari Shakti Vandan Adhiniyam, 2023 must therefore be understood against this empirical background. The central constitutional question is no longer whether women require greater political representation; rather, it concerns the institutional mechanism and the timeline through which such representation should be secured. The continued delay in operationalising the reservation provisions has renewed concerns regarding India's ability to translate constitutional commitments into effective political empowerment.

The historical evolution of women's rights in India further reinforces the necessity of affirmative political representation. The history of Indian women reveals a long struggle against social exclusion, patriarchal institutions, and legal disabilities that characterized significant periods of ancient, medieval, and colonial India. Although social reform movements of the nineteenth century and women's active participation in the national freedom movement considerably improved their public status, political equality remained largely inspirational until the adoption of the Constitution of India.

The coming into force of the Constitution on 26 January 1950 marked a watershed in the constitutional history of women's rights. The Constitution not only guaranteed equality before the law and equal citizenship under the Preamble and Fundamental Rights but also empowered the State to adopt affirmative measures for achieving substantive equality. Articles 14, 15, 15(3), 16, 39(a), 39(d), 42, and 51A (e) collectively provide the constitutional foundation for promoting women's social, economic, and political empowerment. In particular, Article 15(3) authorizes the State to make special provisions for women and children, thereby constitutionally legitimizing affirmative action in favour of women (Forbes, 1998).

Constitutional guarantees were subsequently complemented by planned developmental policies. From the very inception of independent India, women's development became an integral component of the country's planning process.

However, the approach adopted during the early decades of planned development was primarily welfare-oriented. The First Five-Year Plan (1951–56) focused on improving maternal and child welfare, social services, and community development programmes aimed at enhancing women’s role within the family and society. The Second, Third, Fourth, and Fifth Five-Year Plans largely continued this welfare-oriented perspective, treating women primarily as beneficiaries of social assistance rather than as equal participants in economic and political development (Department of Women and Child Development, 1986).

A significant shift occurred following the publication of the landmark Committee on the Status of Women in India (CSWI) Report, *Towards Equality* (1974). The Report provided a comprehensive assessment of the declining socio-economic and political status of women despite constitutional guarantees and developmental planning. It exposed persistent inequalities in education, employment, political representation, and access to public resources, fundamentally challenging the assumption that economic development alone would ensure gender equality. The Report generated extensive parliamentary debate and marked a turning point in India’s approach to women’s development.

Influenced by the recommendations of the *Towards Equality* Report and emerging international discourse on gender equality, the Sixth Five-Year Plan (1980–85) introduced a paradigm shift by replacing the welfare approach with a development-oriented strategy. For the first time, women were recognised as active participants in the development process rather than passive recipients of welfare measures. The Plan adopted a multidisciplinary approach with special emphasis on education, health, employment, skill development, and institutional support for women’s empowerment. (Government of India, 1975) This transformation laid the intellectual and policy foundation for subsequent constitutional reforms, including the 73rd and 74th Constitutional Amendments, which successfully institutionalised one-third reservation for women in Panchayati Raj Institutions and Urban Local Bodies and eventually inspired the movement for similar reservations in Parliament and State Legislative Assemblies.

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community development programmes aimed at enhancing women's role within the family and society. The Second, Third, Fourth, and Fifth Five-Year Plans largely continued this welfare-oriented perspective, treating women primarily as beneficiaries of social assistance rather than as equal participants in economic and political development (Anand, April 6, 1997; Govt. of India, 1995).

The Second, Third, Fourth, and Fifth Five-Year Plans broadly continued the welfare-oriented approach towards women's development adopted during the First Plan. Women's issues were largely treated as part of the broader framework of social welfare, alongside programmes for children, the elderly, and persons with disabilities. During this period, women were viewed primarily as beneficiaries of welfare rather than as active participants in the development process (Chetana, 1992).

A significant turning point came with the publication of the landmark report of the Committee on the Status of Women in India (CSWI), titled *Towards Equality* (1974), towards the end of the Fourth Five-Year Plan. The report highlighted that the prevailing model of economic development had, in many respects, adversely affected women by reinforcing existing inequalities and creating new forms of social and economic disparities. Its findings generated extensive debate in Parliament and marked the beginning of a new policy discourse that recognized women not merely as recipients of welfare but as essential contributors to national development. The *Towards Equality* report and the subsequent parliamentary discussions on the impact of the Five-Year Plans played a crucial role in transforming the official approach towards women's development. This shift was reflected in the Sixth Five-Year Plan (1980–85), which marked a decisive departure from the earlier welfare-oriented perspective. For the first time, women were recognized as active participants in the development process rather than passive beneficiaries of welfare programmes. The Plan adopted a multidisciplinary approach with a special emphasis on three core sectors—health, education, and employment—to enhance women's socio-economic status.

The Seventh Five-Year Plan (1985–90) further strengthened this approach by seeking to enhance women's confidence, promote awareness of their rights and capabilities, and expand opportunities for their development. It also emphasized the effective implementation of protective legislation, including the Dowry Prohibition Act, and introduced measures to prevent violence, harassment, and other forms of discrimination against women. The Eighth Five-Year Plan (1992–97) marked another important phase in the institutionalization of women's empowerment. During this period, several key institutions and programmes were established, including the National Commission for Women (1992), Rashtriya Mahila Kosh (1993), Mahila Samridhi Yojana (1993), and Indira Mahila Yojana (1995). The National Policy for the Empowerment of women, although formally adopted in 2001, was conceptualized during this period,

reflecting the growing commitment to gender equality and women's empowerment (National Perspective Plan for Women, 1988).

The 1990s also witnessed a significant shift towards the political empowerment of women at the grassroots level. The enactment of the 73rd and 74th Constitutional Amendments (1992–93), which reserved one-third of the seats in Panchayats and Urban Local Bodies for women, fundamentally transformed local governance by ensuring women's participation in democratic institutions. Building upon this constitutional framework, the Ninth Five-Year Plan (1997–2002) identified women's empowerment as one of its central objectives. It sought to create an enabling environment in which women could exercise their rights both within and outside the household as equal partners in development. The Plan also emphasized the formulation and implementation of a comprehensive National Policy for the Empowerment of Women with clearly defined goals, targets, and institutional mechanisms for monitoring gender equality (Anand, 1997).

The commitment to women's empowerment was further strengthened in the Tenth Five-Year Plan (2002–07), which adopted a three-pronged strategy based on the National Policy for the Empowerment of Women (2001). This strategy focused on social empowerment, economic empowerment, and gender justice, aiming to integrate gender concerns into all sectors of development. (Peerzade Parnade, *March 1*, 2005) The Eleventh Five-Year Plan (2007–12) continued this trajectory by placing women's empowerment at the centre of its vision of inclusive growth. It envisaged a society in which every woman could realize her full potential and participate equitably in the country's economic and social progress. The Plan emphasized gender mainstreaming across all sectors while also introducing targeted interventions to address persistent gender disparities. It further reiterated the commitment of the Government's National Common Minimum Programme to empower women politically, educationally, economically, and legally. The Plan also aligned its objectives with the Millennium Development Goals (MDGs), recognizing that gender equality and women's empowerment were essential to improving the overall quality of life for women and children and achieving sustainable national development (Government of India, 2007–2012).

The publication of Committee on the Status of Women in India (CSWI) Report, *Towards Equality* (1974) proved to be landmark for the political empowerment of women in India. The Report provided a comprehensive assessment of the declining socio-economic and political status of women despite constitutional guarantees and developmental planning. It exposed persistent inequalities in education, employment, political representation, and access to public resources, fundamentally challenging the assumption that economic development alone would ensure gender equality. The Report generated extensive parliamentary debate and marked a turning point in India's approach to women's development.

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Following sustained political pressure and advocacy by women's organisations, the process of reserving seats for women in local self-government institutions was initiated during the government of Prime Minister Rajiv Gandhi. The proposal generated considerable political debate. While its supporters viewed it as a transformative step towards enhancing women's political representation and democratic participation, critics argued that it also served as a politically strategic measure aimed at creating a supportive women's constituency at a time when the Indian National Congress was attempting to rebuild its political image.

A decisive breakthrough came with the enactment of the 73rd Constitutional Amendment Act, 1992 and the 74th Constitutional Amendment Act, 1992, both of which came into force in 1993 during the government of Prime Minister P. V. Narasimha Rao. These constitutional amendments institutionalised democratic decentralisation and mandated that not less than one-third of the total seats in PRIs and ULBs be reserved for women. These provisions marked the first constitutional guarantee of political reservation for women in India and laid the foundation for their large-scale participation in grassroots governance. The 73rd Constitutional Amendment inserted Part IX into the Constitution and introduced Article 243D, which provides the constitutional framework for the reservation of seats for women in Panchayati Raj Institutions. Article 243D (2) mandates that not less than one-third of the seats reserved for the SCs and STs shall be reserved for women belonging to these communities. Article 243D (3) further provides that not less than one-third of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women, with such seats being allotted by rotation among different constituencies. Article 243D (4) extends the principle of reservation to the offices of Chairpersons at all levels of the Panchayati Raj system, authorizing State Legislatures to provide reservation for women, Scheduled Castes, and Scheduled Tribes through state legislation (Khan, n.d.).

The constitutional recognition of women's political participation was complemented by several national and international initiatives promoting women's leadership in governance. Various governmental and non-governmental organisations issued recommendations to strengthen women's participation in political decision-making. Regional networks such as South Asia Watch (SAW) and Asia Pacific Women's Watch (APWW) consistently identified women's political representation as a priority issue. Similarly, the United Nations Development Programme (UNDP) organised a national consultation on *Women's Political Participation in the Twenty-First Century: Challenges and Opportunities* in New Delhi from 24 to 26 March 1999. The consultation brought together women political leaders, policymakers, and civil society representatives from across India to exchange experiences and formulate strategies for increasing women's participation in governance. The meeting concluded that genuine gender equality could not be achieved until women attained equitable representation in political institutions and decision-making processes (Rajput, 2000).

The implementation of the 73rd and 74th Constitutional Amendments has significantly transformed the landscape of grassroots democracy in India. Over the past three decades, these reforms have enabled millions of women to enter electoral politics for the first time, thereby expanding their role in public decision-making and local governance. Participation in Panchayati Raj Institutions has enhanced women's political awareness, leadership skills, and confidence while challenging traditional patriarchal norms that historically excluded them from political processes. Numerous empirical studies have demonstrated that women's increased representation at the local level has improved responsiveness to issues such as education, health, sanitation, drinking water, and social welfare, thereby strengthening democratic accountability and inclusive governance. The success of the reservation policy has encouraged several states to extend women's reservation beyond the constitutionally mandated one-third. Although the Constitution (110th Amendment) Bill, 2009, which proposed increasing reservation for women in Panchayati Raj Institutions from one-third to one-half, was introduced in Parliament, it was never enacted. Nevertheless, many states independently amended their Panchayati Raj Acts to provide 50% reservation for women.

According to the latest official data, India has approximately 2.55 lakh Gram Panchayats with nearly 2.5 million elected Panchayati Raj representatives, of whom women constitute approximately 49.7%. Several states-including Arunachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttarakhand, and West Bengal-as well as the Union Territories of Lakshadweep and Dadra and Nagar Haveli and Daman and Diu, have provided 50% reservation for women in Panchayati Raj Institutions through their

respective state laws and rules. This expansion has substantially enhanced women's participation in grassroots governance and has contributed to the emergence of a new generation of women political leaders, thereby reinforcing the democratic process and advancing gender-inclusive governance in India.

Evolution of women's reservation: from legislative deadlock to the 2026 implementation debate

The demand for reserving seats for women in Parliament and the State Legislative Assemblies emerged as a major political issue during the mid-1990s. The success of the 73rd and 74th Constitutional Amendments (1992–93), which introduced one-third reservation for women in Panchayati Raj Institutions and Urban Local Bodies, generated widespread support for extending similar provisions to the higher legislatures. Consequently, in the run-up to the 1996 general elections, most major political parties included a commitment to provide 33% reservation for women in Parliament and the State Legislative Assemblies in their election manifestos. Although there was broad political consensus regarding the principle of enhancing women's representation, significant differences soon emerged over the design and implementation of the proposed reservation.

The first Women's Reservation Bill was introduced in September 1996 by the United Front Government led by Prime Minister H. D. Deve Gowda as the Constitution (81st Amendment) Bill, 1996. The Bill proposed reserving one-third of the seats in the Lok Sabha and the State Legislative Assemblies for women, including one-third of the seats already reserved for the SCs and STs. However, the Bill immediately encountered strong political opposition and was referred to a Joint Parliamentary Committee chaired by Geeta Mukherjee. The Geeta Mukherjee Committee strongly endorsed the principle of women's reservation and recommended the passage of the Bill with only limited modifications. At the same time, the Committee rejected the demand for separate sub-quotas for women belonging to OBCs and minority communities within the proposed reservation. This recommendation reflected the view that such demands, although raising legitimate questions of social justice, were not accompanied by corresponding efforts by political parties to provide adequate representation to OBC and minority women within their own organisational structures or candidate selection processes. Consequently, supporters of the Bill often argued that the demand for sub-quotas had become a political strategy that repeatedly delayed the enactment of women's reservation (National Legislators' Conference Bharat).

Between 1996 and 2010, successive governments introduced the Women's Reservation Bill several times under different constitutional amendment numbers. Despite repeated assurances across party lines, the Bill failed to secure parliamentary approval because of intense political disagreements over issues

such as sub-quotas for OBC women, the rotation of reserved constituencies, and concerns that reservation might disproportionately benefit urban, educated and politically influential women. On several occasions, parliamentary proceedings were disrupted by unprecedented protests, reflecting the deep divisions surrounding the proposal. Thus, although political parties publicly endorsed women's political empowerment, the inability to enact the legislation exposed the gap between rhetorical commitment and legislative action (Panda & Ford, 2011).

A significant breakthrough occurred on 9 March 2010 when the Rajya Sabha passed the Constitution (108th Amendment) Bill, 2008, by an overwhelming majority, with 186 members voting in favour and only one member voting against it. The Bill sought to reserve one-third of the seats in the Lok Sabha and the State Legislative Assemblies for women, including a sub-reservation for SC and ST women within the existing reserved constituencies. The passage of the Bill in the Rajya Sabha represented an important milestone in India's constitutional history and reflected an unprecedented degree of political consensus regarding the need to improve women's representation in legislative institutions (Agnihotri, *April 9, 2010*).

Nevertheless, the Bill was never taken up for consideration in the Lok Sabha. With the dissolution of the 14th Lok Sabha in 2014, it lapsed, marking yet another unsuccessful attempt to institutionalise women's reservation at the national level. The fate of the 2010 Bill demonstrated that although political consensus existed in principle, competing electoral calculations and unresolved questions concerning the structure of reservation continued to impede legislative reform.

The issue remained largely dormant until September 2023, when the Union Government introduced the Constitution (128th Amendment) Bill, 2023, officially titled the Nari Shakti Vandan Adhiniyam. Unlike the earlier attempts, the legislation received overwhelming support in both Houses of Parliament and subsequently received the assent of the President, becoming part of the Constitution. The enactment represented the culmination of nearly three decades of constitutional and political debate on women's reservation in Parliament and the State Legislative Assemblies.

However, the constitutional amendment did not provide for the immediate implementation of reservation. Instead, it stipulated that the reservation of seats would become operational only after the publication of the first Census conducted following the commencement of the Act and the subsequent delimitation of parliamentary and assembly constituencies. This constitutional linkage between reservation, Census, and delimitation fundamentally transformed the nature of the debate. Whereas earlier discussions focused primarily on whether reservation should be introduced, contemporary

discussions increasingly centre on the conditions, timing, and institutional mechanisms necessary for its implementation.

The debate acquired renewed significance during 2026 as the Union Government initiated the legislative process relating to delimitation and the operationalisation of the constitutional provisions governing women's reservation. Consequently, the focus of public and academic discourse shifted from the normative justification for reservation towards the constitutional, political and administrative challenges involved in translating the constitutional mandate into electoral reality.

The contemporary debate revolves around several interconnected issues. First, there are concerns regarding the timing of the next delimitation exercise and its implications for the federal balance between states. Secondly, there is continuing debate regarding the method of identifying constituencies that will be reserved for women and the criteria governing the rotation of reserved seats. Frequent rotation has generated apprehension among political parties and legislators, who argue that it may weaken constituency accountability, discourage long-term political investment, and reduce incentives for sustained constituency development. Thirdly, political parties and several regional organisations have renewed the demand for a separate sub-quota for women belonging to OBCs, arguing that gender justice should also reflect India's existing patterns of social inequality. These concerns demonstrate that the implementation of women's reservation remains closely intertwined with broader debates on social justice, representation and electoral fairness.

Under the constitutional framework established by the Nari Shakti Vandan Adhiniyam, one-third of the total seats in the Lok Sabha and the State Legislative Assemblies will be reserved for women. Within the constituencies already reserved for Scheduled Castes and Scheduled Tribes, one-third will be further reserved for women belonging to these communities, thereby creating a quota within the existing reservation framework. The Constitution further provides that Parliament shall determine the detailed mechanism governing the rotation of reserved constituencies through subsequent legislation after the completion of the delimitation process. The underlying objective of rotation is to ensure that the benefits of reservation are distributed equitably across constituencies and that women's political participation is not confined to a limited geographical or social base.

Viewed historically, the evolution of the Women's Reservation Bill illustrates the changing trajectory of women's political empowerment in India. The debates of the 1990s and 2000s were largely concerned with securing constitutional recognition for women's legislative representation. In contrast, the debate in 2026 reflects a more advanced stage in which the constitutional principle has been accepted, while the principal challenge lies in designing an implementation

framework that balances gender equality with competing concerns of federalism, social justice, electoral stability and democratic representation. The effectiveness of the Nari Shakti Vandan Adhiniyam will therefore depend not only upon its constitutional validity but also upon the manner in which Parliament addresses the practical questions relating to Census, delimitation, rotation of constituencies, and the demands for more inclusive representation during its implementation.

Conclusion

The enactment of the *Nari Shakti Vandan Adhiniyam, 2023* marks a historic constitutional milestone in India's long struggle to secure substantive political equality for women. As this paper demonstrates, the demand for legislative reservation evolved from the success of the 73rd and 74th Constitutional Amendments, the recommendations of the *Towards Equality* Report (1974), and India's international commitments under CEDAW and the Beijing Platform for Action. However, the 2026 parliamentary debate reveals that constitutional recognition alone does not guarantee effective political empowerment. By linking implementation to the Census and delimitation, the constitutional amendment has shifted the debate from the legitimacy of reservation to the timing and institutional framework of its enforcement.

To fulfil the constitutional promise of gender justice, Parliament should ensure the time-bound implementation of the reservation provisions immediately after the completion of the Census and delimitation process. The implementation framework should be transparent, accompanied by clear rules on the rotation of reserved constituencies, and informed by broad political consultation. Simultaneously, political parties should strengthen women's participation through internal candidate selection, leadership development, and capacity-building initiatives. Ultimately, the success of the Nari Shakti Vandan Adhiniyam will be measured not merely by its constitutional enactment but by its effective contribution to achieving substantive equality, democratic inclusion, and meaningful representation of women in India's legislative institution.

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