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# **THE EVOLUTION OF GENDER QUOTAS IN INDIA: A STUDY OF THE NARI SHAKTI VANDHAN ADHINIYAM**

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## **Abstract**

*The question of political representation of women has always been an important aspect in the politics of India. Even though provisions have been made by the Constitution of India to grant equality to citizens through Articles 14, 15, and 16, women have traditionally been deprived of adequate representation within legislative bodies. Several attempts have been made to improve the participation of women in politics by providing seats to them in the Panchayati Raj System under the 73rd and 74th amendments of the Constitution. However, the call for reserving seats for women in Parliament and State Legislative Assemblies still faced opposition for several years. The Nari Shakti Vandhan Adhiniyam, 2023 marks an important turning point in the development of gender quotas in India. The legislation provides 33 percent reservation for women in Lok Sabha, State Legislative Assemblies and Legislative Assembly of Delhi, thereby seeking to strengthen substantive political equality and inclusive governance. This research critically analyses the historical evolution of gender quotas in India, the constitutional and legal framework of women's political reservation and socio-political debates around the passage of the Act. It also considers possible implications of the legislation on democratic participation, representation of marginalized women and policy processes. The paper also refers to the challenges in implementation, delimitation and intersectionality in women's reservation. The study reveals that the Nari Shakti Vandhan Adhiniyam is an important step towards gender justice and participatory democracy in India, but its effective implementation is crucial for the meaningful empowerment of women in political institutions.*

**Keywords:** Gender Quotas, Nari Shakti Vandhan Adhiniyam, Women's Political Representation, Reservation Policy, Participatory Democracy.

## INTRODUCTION

Equality is considered to be among the basic tenets that have been embodied in the Indian constitutional system. The Indian government has taken various constitutional and legislative steps since its independence aimed at ensuring social justice, equality, and inclusive participation in democracy. However, even as such rights are guaranteed by Articles 14, 15, and 16 of the Indian constitution, women have always lacked representation in decision-making organs.<sup>1</sup> The low involvement of women in parliamentary bodies is due to the existence of patriarchy, socio-economic constraints, gender discrimination, and uneven political opportunities. Even though women make up almost half the population of India, their presence in parliament and state legislative assemblies has always been very inadequate.<sup>2</sup>

Gender Quotas: The idea of gender quotas was introduced as a vital means to rectify the historical injustices and discrimination that had occurred against women in politics. Gender quotas involve affirmative actions that guarantee a certain minimum representation of women in political and legislative bodies.<sup>3</sup> In different parts of the world, many democratic countries have made use of the quota system to improve their representative democratic structure and encourage women's political involvement. For example, in India, the demand for women's political reservation received considerable attention after the implementation of the 73rd and 74th Constitutional Amendments Act of 1992,<sup>4</sup> which provided women with reservation for one-third of all positions within Panchayati Raj Institutions and Urban Local Bodies.<sup>5</sup>

Even though the practice of reservation proved successful in local government levels, the problem of reservation of seats for women in Parliament and State Legislative Assemblies was left unanswered for decades to come. Attempts were made time and again to pass the Women's Reservation Bill; nevertheless, the bill met with failures due to its strong opposition, controversy surrounding sub-quotas, and the problem of enforcement of the same.<sup>6</sup> However, this problem continued to be one of heated constitutional and political debate within India. It took decades of discussion before finally, through the passing of the Parliament Act, Nari

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<sup>1</sup> INDIA CONST. arts. 14, 15 & 16.

<sup>2</sup> Nivedita Menon, *Seeing Like a Feminist* 112 (Zubaan 2012).

<sup>3</sup> Drude Dahlerup, *Women, Quotas and Politics* 19 (Routledge 2006).

<sup>4</sup> The Constitution (Seventy-Third Amendment) Act, 1992; The Constitution (Seventy-Fourth Amendment) Act, 1992

<sup>5</sup> B.S. Baviskar & George Mathew, *Inclusion and Exclusion in Local Governance: Field Studies from Rural India* 87 (Sage Publications 2009).

<sup>6</sup> Subhash C. Kashyap, *Parliamentary Procedure, Law, Privileges, Practice and Precedents* 421 (Universal Law Publishing 2015).

Shakti Vandhan Adhiniyam, 2023, this problem attained historical significance in Indian legislation on gender quotas.<sup>7</sup>

The passage of the Nari Shakti Vandhan Adhiniyam is undoubtedly a step forward in realizing substantive equality, participatory democracy, and the empowerment of women politically. This statute is more than an effort aimed at increasing the numerical representation of women but rather aims at inclusive governance and gender-sensitive policy-making in democratic systems.<sup>8</sup> On the other hand, the passing of this law has spurred debates on delimitation, implementation based on census results, intersectionality, and proper representation of marginalized women within the reserved seats.<sup>9</sup>

### **Historical Evolution of Gender Quotas in India**

The emergence of the gender quota system in India has a significant connection with the larger movement towards women's equality, empowerment, and political participation. While the demand for women's representation in governance structures originated prior to Independence, as women leaders and activists called for equal political status and involvement in public affairs, during the constitution-making process, emphasis was laid on the need for equality and non-discrimination, without providing for any political reservation for women in legislative bodies.<sup>10</sup> The assumption at the time was that through universal adult suffrage and equal status under the law, there would automatically be sufficient representation of women in the democratic structure.<sup>11</sup> Nevertheless, the reality after Independence proved that mere formal equality was not enough.

During the period after independence, the representation of women in Parliament and State Legislative Assemblies was consistently low. The political parties were unable to offer proper electoral prospects to women contestants, and socio-cultural obstacles hindered women from participating actively in politics.<sup>12</sup> With an increasing apprehension about the gender disparity

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<sup>7</sup> The Constitution (One Hundred and Sixth Amendment) Act, 2023.

<sup>8</sup> Flavia Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* 236 (Oxford University Press 2011).

<sup>9</sup> Niraja Gopal Jayal, *Citizenship and Its Discontents: An Indian History* 284 (Harvard University Press 2013).

<sup>10</sup> Granville Austin, *The Indian Constitution: Cornerstone of a Nation* 75 (Oxford University Press 1966).

<sup>11</sup> Constituent Assembly Debates, Vol. VII, Nov. 19, 1948.

<sup>12</sup> Zoya Hasan, *Politics of Inclusion: Castes, Minorities and Affirmative Action* 198 (Oxford University Press 2009).

in political representation, the need for affirmative actions and institutional reforms emerged.<sup>13</sup> In particular, the Committee on the Status of Women in India in its seminal report "Towards Equality" (1974) pointed out the decreasing political participation of women and urged for steps to increase the presence of women in decision-making institutions.

The important turning point in the evolution of gender quotas was the passing of 73rd and 74th Constitutional Amendments in the year 1992. Under these amendments, not less than one-third of the seats were reserved for women in Panchayati Raj Institutions and Urban Local Bodies.<sup>14</sup>

This policy was designed to decentralize power and provide greater representation of women belonging to marginalized communities within local self-governing institutions. The policy of reservation has led to substantial representation of women in grass-root level politics and provided more scope for political empowerment of rural and economically deprived women.<sup>15</sup> Over the years, many states have raised the quota for women from one-third to fifty percent.<sup>16</sup> The successful implementation of reservation in local governments increased the need for its implementation in parliamentary and state legislatures. As a result, the Women's Reservation Bill was introduced in parliament in 1996 to provide one-third seats reserved for women in Lok Sabha and State Legislative Assemblies.<sup>17</sup> But the bill was opposed several times because of disputes regarding sub-quotas for OBCs and rotational reservation.<sup>18</sup> Although there were many demands from civil society groups and women's organizations in favor of the bill, no political consensus could be reached for decades.

After decades of controversy and political deadlock, the promulgation of the Nari Shakti Vandhan Adhiniyam, 2023 was an unprecedented landmark in the constitutional development of India. The act added provisions that ensure reservation of one-third seats for women in the Lok Sabha, State Legislative Assemblies, and Legislative Assembly of Delhi.<sup>19</sup> The passage of the law is the ultimate step in India's constitutional and political quest to attain gender-balanced

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<sup>13</sup> Committee on the Status of Women in India, *Towards Equality: Report of the Committee on the Status of Women in India* 302 (Government of India 1974).

<sup>14</sup> INDIA CONST. arts. 243D & 243T.

<sup>15</sup> Nirmala Buch, *From Oppression to Assertion: Women and Panchayats in India* 54 (Routledge 2010).

<sup>16</sup> Ministry of Panchayati Raj, Government of India, *Status of Panchayati Raj in the States and Union Territories of India* 91 (2016).

<sup>17</sup> The Constitution (Eighty-First Amendment) Bill, 1996.

<sup>18</sup> Rajeshwari Deshpande & Louise Tillin, "The Politics of Women's Reservation in India" 49 *Asian Survey* 239 (2009)

<sup>19</sup> The Constitution (One Hundred and Sixth Amendment) Act, 2023.

governance and substantive equality.

## Constitutional and Legal Framework of Women's Reservation in India

The constitutional structure of India is established on the ideals of equality, justice, and non-discrimination. The Constitution provides equal rights to all its citizens and enables the government to take special actions for disadvantaged individuals to realize equality in the truest sense. The legal basis for the concept of women's reservation in India derives from the constitutional provisions stated in Part III and Part IV of the Constitution that aim at ensuring that there should be no gender discrimination and injustice in society.<sup>20</sup> According to Articles 14, 15, and 16 of the Constitution, equal rights are provided to all Indian citizens irrespective of their gender or any other factor, and the government has been asked to take special steps to facilitate their opportunities.<sup>21</sup> Furthermore, Article 15(3) specifically allows the state to take some exceptional measures regarding women and children.<sup>22</sup>

Further, the Directive Principles of State Policy strengthen the constitutional approach towards gender justice and inclusion. According to Article 39(a), the state is expected to protect the equal right to livelihood for both men and women.<sup>23</sup> Article 39(d) stresses that equal remuneration should be provided for equal work performed.<sup>24</sup> Likewise, Article 51A(e) makes it imperative for Indian citizens to abandon any discriminatory customs harmful to the status of women.

An important constitutional change within the domain of women's political representation has been brought about by the passage of the 73rd and 74th Constitutional Amendments in 1992. The amendments have provided for the insertion of Article 243D and 243T, which provide for a quota for not less than one-third seats for women in the Panchayat Raj Institutions and Municipals, respectively.<sup>25</sup> Not only seats but also posts of Chairpersons have been reserved for women in these institutions.<sup>26</sup> This was a path-breaking move in the direction of democratic decentralization and women's political empowerment at the grassroots level.<sup>27</sup>

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<sup>20</sup> M.P. Jain, *Indian Constitutional Law* 1187 (LexisNexis 8th ed. 2018).

<sup>21</sup> INDIA CONST. arts. 14, 15 & 16.

<sup>22</sup> INDIA CONST. art. 15(3).

<sup>23</sup> INDIA CONST. art. 39(a) & (d).

<sup>24</sup> INDIA CONST. art. 51A(e).

<sup>25</sup> INDIA CONST. arts. 243D & 243T.

<sup>26</sup> George Mathew, *Panchayati Raj in India: From Legislation to Movement* 143 (Concept Publishing 1995).

<sup>27</sup> B.S. Baviskar & George Mathew, *Inclusion and Exclusion in Local Governance: Field Studies from Rural India* 103 (Sage Publications 2009).

The effectiveness of the reservation in local self-governance led to greater demands for reservation in Parliament and State Legislatures. To address these demands, some attempts were made at formulating laws that would grant reservation to women in these higher legislative bodies. However, even though the Women's Reservation Bill was proposed on multiple occasions since 1996, political conflicts and issues pertaining to sub-quotas based on caste proved to be major impediments to passing this bill.<sup>28</sup>

This constitutional status was finalized by the passing of the Nari Shakti Vandhan Adhiniyam, 2023, officially known as the Constitution (One Hundred and Sixth Amendment) Act, 2023.<sup>29</sup> This legislation incorporated Articles 330A, 332A, and 334A into the Constitution, which guaranteed that one-third seats in the Lok Sabha, State Legislative Assemblies, and the Legislative Assembly of Delhi be reserved for women.<sup>30</sup> This Act further provided for the reservation of one-third seats in the Scheduled Castes and Scheduled Tribes reserved constituencies for women from these groups. Yet, the application of this reservation provision is contingent on the next delimitation process that takes place after the first census since the passage of the Act.<sup>31</sup>

The passing of the Nari Shakti Vandhan Adhiniyam represents a significant step forward from a constitutional perspective in terms of realizing substantive equality and gendered democracy in India. However, controversy still exists with respect to implementation delays, rotational reservation, and the lack of provision for women from the Other Backward Classes in the reservation system.<sup>32</sup>

### **The Nari Shakti Vandhan Adhiniyam, 2023: Salient Features and Significance**

The enactment of the Nari Shakti Vandhan Adhiniyam, 2023 marks an unprecedented milestone in the constitutional and political evolution of India. The statute aims to tackle the problem of under-representation of women in legislative assemblies and bolster participatory democracy by ensuring gendered representation. Passed in the form of the Constitution (One Hundred and Sixth Amendment) Act, 2023, the statute mandates that one-third of the seats

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<sup>28</sup> Zoya Hasan, *Politics of Inclusion: Castes, Minorities and Affirmative Action* 212 (Oxford University Press 2009).

<sup>29</sup> The Constitution (One Hundred and Sixth Amendment) Act, 2023.

<sup>30</sup> INDIA CONST. arts. 330A, 332A & 334A.

<sup>31</sup> Ministry of Law and Justice, Government of India, *The Constitution (One Hundred and Sixth Amendment) Act, 2023 Gazette Notification* (2023).

<sup>32</sup> *Supra* 8

must be reserved for women in the Lok Sabha, State Legislative Assemblies, and the Legislative Assembly of the National Capital Territory of Delhi.<sup>33</sup>

The most important aspect of the Act is the amendment of Article 330A to the Constitution, whereby reservation for women in the House of the People has been made. Another important amendment in the Act is Article 332A, according to which reservations will also be made for women in State Legislative Assemblies. Under the law, one-third of the seats earmarked for Scheduled Castes and Scheduled Tribes will now be reserved for women of these castes and tribes.

Another important feature of the Act is the provision relating to rotational reservation. The reserved seats for women are to be rotated after each delimitation exercise, ensuring broader geographical representation and preventing the concentration of political opportunities in specific constituencies. However, the implementation of the reservation is contingent upon the completion of the first census conducted after the enactment of the legislation and the subsequent delimitation exercise. This condition has generated significant debate, as critics argue that the delayed implementation may postpone the realization of women's political representation for several years.

It has enormous constitutional and democratic importance. It represents the result of decades of political activism, legislative debate, and pressure from women's rights organizations to increase women's representation in governance.<sup>34</sup> It is believed that the law will help in increasing the presence of women in policy decisions in the legislature and promote gender-sensitive policy making and women's involvement in the political process. The presence of more women in legislatures might play an important role in the resolution of problems related to gender-based violence, health, education, labor rights, and welfare.

In addition, this Act holds symbolic significance with regards to changing public attitudes towards the capabilities of women in terms of leading and political ability. Through ensuring the reserved constitutional position of women, the law undermines the patriarchal belief system, which has long limited women's access to political power.<sup>35</sup> The reservation system may also help political parties push women into leading positions.

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<sup>33</sup> The Constitution (One Hundred and Sixth Amendment) Act, 2023.

<sup>35</sup> Supra note 8

In spite of the progressive nature of the law, there have been several criticisms levelled against it. There have been concerns raised about the lack of reservations for OBC women since this Act fails to address issues relating to intersectional discrimination within the realm of women's political representation.<sup>36</sup> Other concerns have been about the efficacy of rotational reservations, the likelihood of proxy representation, and the delay associated with the process because it is linked to the census and delimitation exercises.<sup>37</sup>

Despite this, the Nari Shakti Vandhan Adhiniyam is still a landmark constitutional reform that has the ability to transform the structure of democracy in India by making women representation part of the legislative process. Its successful application can enhance democratic practice, inclusion, and gender equality in the Indian constitution.

### **Challenges and Criticisms of the Women's Reservation Framework**

However, despite being hailed as a groundbreaking amendment in the constitution, the Nari Shakti Vandhan Adhiniyam, 2023 too has faced various criticisms regarding implementation and inclusion. The difficulties encountered while providing for women's reservation in India demonstrate the issues surrounding the attempt to balance gender equality with other aspects such as social diversity and political representation within the constitution. Even though the Act has been enacted to promote participation of women in decision-making processes, there have been many legal, political, and socio-cultural challenges to the idea of reservation.<sup>38</sup>

One of the major criticisms of the bill pertains to the delay in implementing it. Under the provisions of the Act, reservation for women will become applicable only after conducting the first census following the introduction of the Act and delimitation of constituencies accordingly.<sup>39</sup> However, delimitation is a long process in itself and, therefore, there is a possibility that reservation of seats for women will take place only after a few years from now. This condition-based reservation policy has been criticized for its delayed nature and lack of immediate commitment on the part of politicians towards empowering women.<sup>40</sup>

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<sup>36</sup> Zoya Hasan, *Politics of Inclusion: Castes, Minorities and Affirmative Action* 228 (Oxford University Press 2009).

<sup>37</sup> Niraja Gopal Jayal, *Citizenship and Its Discontents: An Indian History* 301 (Harvard University Press 2013).

<sup>38</sup> *Supra* 40

<sup>39</sup> INDIA CONST. art. 334A.

<sup>40</sup> Niraja Gopal Jayal, *Citizenship and Its Discontents: An Indian History* 309 (Harvard University Press 2013).

The other main issue relates to the lack of a separate reservation policy for women who are part of the Other Backward Classes (OBCs). While the law provides quotas for SC and ST women within the already available system, there is no provision of a separate sub-quota for OBC women.<sup>41</sup> It has been argued that women do not constitute a single uniform group, and social differences exist among women on the basis of caste, class, religion, and regional divisions, which impact their participation in politics.<sup>42</sup> The inclusion of an additional sub-quota would ensure that no section of women gets an undue advantage from the reservation system.

The rotation aspect of reservation through the Act has been a cause of concern too. Constituencies reserved for women have to be rotated after every delimitation, and this practice may demotivate legislators to remain connected to their constituencies since there can be no certainty about the future.<sup>43</sup> There has been an apprehension that regular rotation may undermine accountability, and motivation for the growth of constituencies may not be there anymore. The development of leaders in such constituencies may not be encouraged by political parties either since such constituencies are reserved on a temporary basis for women.<sup>44</sup>

Another concern is related to the concept of proxy representation or symbolic representation. The case studies conducted in the context of Panchayati Raj Institutions have revealed that there are instances where the elected female members are governed by the male members of their families, known as the proxy politics phenomenon.<sup>45</sup> While reservations can lead to increased numbers, it is argued that true political empowerment demands autonomous decision-making power, political literacy, and institutional mechanisms for women politicians. In the absence of a change in the patriarchal social and political environment, reservation itself might not guarantee substantive equality.<sup>46</sup>

Opposition and ideological differences have also formed part of the discussions regarding women's reservations in India over the years. It is argued that reservations can be seen as undermining the concept of merit-based representation or even causing tokenism within the

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<sup>41</sup> Supra note 41

<sup>42</sup> Nivedita Menon, *Seeing Like a Feminist* 152 (Zubaan 2012).

<sup>43</sup> Supra note 20

<sup>44</sup> Rajeshwari Deshpande & Louise Tillin, "The Politics of Women's Reservation in India" 49 *Asian Survey* 247 (2009).

<sup>45</sup> Nirmala Buch, *From Oppression to Assertion: Women and Panchayats in India* 91 (Routledge 2010).

<sup>46</sup> B.S. Baviskar & George Mathew, *Inclusion and Exclusion in Local Governance: Field Studies from Rural India* 127 (Sage Publications 2009).

political space.<sup>47</sup> There have also been those who advocate for voluntary increases in the number of female politicians by the political parties. However, supporters of women's reservation believe that due to inequality and systematic discrimination, affirmative action must be taken for true equality.<sup>48</sup>

However, despite these issues, women's reservation is crucial in rectifying the historical bias as well as creating an inclusive democracy in the country. The issues that arise during the process of implementing the Nari Shakti Vandhan Adhiniyam point to a need for other accompanying reforms, including political education, funding for women candidates, democracy within political parties, and addressing intersectionality among others. Success depends on how the legislation will be implemented and institutionalized in India.

### **Comparative Perspective on Gender Quotas: Global Experiences and Lessons for India**

Use of gender quotas has proved to be one of the most important global practices to improve the political participation of women in favor of a more inclusive democracy. Some of the countries around the globe have used various types of quota systems in order to deal with gender discrimination in the past. These international experiences can serve as an important source of learning for India when it comes to implementing the Nari Shakti Vandhan Adhiniyam, 2023. Across the globe, gender quotas are broadly divided into three types: quota system with reserved seats, candidate quotas in legislations, and voluntary party quotas.<sup>49</sup> A reserved seat system is the one in which the political system provides guaranteed seats in parliament for women; candidate quotas demand political parties to select at least a specified minimum number of female candidates for the post of legislators. The third type of quota is a voluntary party quota. It has been adopted voluntarily by political parties without any constitutional or legislative force.<sup>50</sup>

Rwanda is considered to be one of the most effective cases where women's political empowerment occurs through reservation policies. The reforms that occurred following the

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<sup>47</sup> Subhash C. Kashyap, *Parliamentary Procedure, Law, Privileges, Practice and Precedents* 437 (Universal Law Publishing 2015).

<sup>48</sup> Drude Dahlerup, *Women, Quotas and Politics* 88 (Routledge 2006).

<sup>49</sup> Mona Lena Krook, *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide* 17 (Oxford University Press 2009).

<sup>50</sup> Pippa Norris, *Driving Democracy: Do Power-Sharing Institutions Work?* 213 (Cambridge University Press 2008)

1994 genocide in the constitution provided for reserved seats for women in the parliament, which meant that there were more than sixty percent women in the lower house in Rwanda, making this the highest number worldwide.<sup>51</sup> The example of the Rwandan case shows the effectiveness of constitutional guarantees and political will in improving women's political empowerment. Nevertheless, research has revealed that representation per se cannot guarantee empowerment without democracy.<sup>52</sup>

Likewise, Norway and Sweden have ensured strong representation of women in politics using political party quotas instead of constitutional reservation. It is reported that political parties from Norway and Sweden have used quota policies within themselves in order to ensure equal representation of women among their candidates.<sup>53</sup> This evidence shows that party-level reforms and political culture can significantly contribute towards enhancing women's participation in politics apart from legislation and constitution. South Asian countries of Nepal and Bangladesh represent significant experiences in terms of women's representation in politics via constitutional and legislative quotas. In Nepal, the constitution ensures significant participation of women in parliament and local governance bodies, which was due to the political changes in Nepal.<sup>54</sup> Similarly, Bangladesh has reserved seats for women in parliament; however, there is controversy regarding indirect elections. It can be concluded from these South Asian experiences that constitutional reservation can increase women's participation, yet institution design is crucial to it.<sup>55</sup>

In some aspects, India's model of gender quotas is different from those seen internationally. While voluntary quotas within political parties are used in Scandinavian nations, India has opted for reserved seats under its constitution, like Rwanda and Nepal. 62 The quota system implemented via Nari Shakti Vandhan Adhiniyam reflects the country's use of affirmative action in its constitution for social justice and democracy. Meanwhile, the experience of India in terms of quotas in its PRIs shows that political quotas have the potential for creating social change due to greater visibility and leadership roles among women.<sup>56</sup>

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<sup>51</sup> Rwanda Constitution of 2003, art. 9; Inter-Parliamentary Union, Women in National Parliaments Report (2024).

<sup>52</sup> Anne Marie Goetz & Shireen Hassim, No Shortcuts to Power: African Women in Politics and Policy Making 142 (Zed Books 2003)

<sup>53</sup> Joni Lovenduski, Feminizing Politics 88 (Polity Press 2005).

<sup>54</sup> Constitution of Nepal, 2015, arts. 84 & 176.

<sup>55</sup> Nizam Ahmed, "Women in Parliament in Bangladesh: Representation and Participation" 42 Asian Affairs 56 (2011).

<sup>56</sup> Nirmala Buch, From Oppression to Assertion: Women and Panchayats in India 114 (Routledge 2010).

However, there are lessons learned from comparative studies that can be applied to India's case. There are research findings from other countries showing that quota systems do not necessarily bring about social changes without socio-economic empowerment as well as reforming political parties themselves.<sup>57</sup> Political and public will, as well as the ability to educate women politically, play important roles alongside constitutions.

## Conclusion

The historical development of gender quotas in India is characterized by the continuous constitutional and democratic struggle towards the realization of true equality and participation in politics among women. Although there are constitutional provisions that guarantee equality, the historical tendency of women being underrepresented in legislative institutions has been a result of structural discrimination, patriarchal society, and limited political opportunities. Gradually, these realities became increasingly recognized leading to the emergence of affirmative actions designed to enhance women's representation in governance and politics.

The implementation of reservation for women in the 73rd and 74th Constitutional Amendments was an important development in the history of Indian democracy in terms of increasing women's representation in institutions of local self-governance. It became clear that reservation policies can work effectively as tools for empowering women politically, as well as developing their leadership skills and ensuring inclusion. Successful experience with women's participation in grassroots governance led to demands for women's equal representation in Parliament and State Legislative Assemblies, culminating in the passing of Nari Shakti Vandhan Adhiniyam, 2023. Enactment of the Constitution (One Hundred and Sixth Amendment) Act, 2023 is a landmark in the journey towards constitutional recognition of gender quotas in India. By guaranteeing reservation of one-third seats for women in the Lok Sabha and State Legislative Assemblies, the legislation aims to enhance women's political representation and participatory democracy. The Constitution (One Hundred and Sixth Amendment) Act, 2023 demonstrates that India is committed to attaining gender justice, substantive equality, and inclusive governance under the Constitution. Greater participation of women in parliamentary bodies may have positive repercussions on the policy making in relation to education, healthcare, labour law, social security, and gender-based violence.

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<sup>57</sup> Mona Lena Krook & Sarah Childs, *Women, Gender and Politics: A Reader* 267 (Oxford University Press 2010).

Reservation policies for women's participation cannot succeed without effective implementation and support. Issues such as delay in implementing reservations due to census and delimitation processes, lack of reservations for women belonging to Other Backward Classes category, rotation of reservation, and proxy representation constitute vital constitutional issues which must be addressed. Such problems demonstrate the need for adopting an intersectional strategy to address the problem of political representation of women. International comparative experience also shows that gender quotas are most effective when combined with political education, reforms at the party level, financial support to women candidates, and societal transformation on women's leadership roles. The Nari Shakti Vandan Adhiniyam is, thus, an important constitutional development but its transformative impact will ultimately depend on effective implementation, political will and an enabling environment for women's substantive participation in governance.

In conclusion, the evolution of gender quotas in India signifies a momentous stride towards the achievement of the constitutional vision of equality and democratic inclusiveness. The Nari Shakti Vandhan Adhiniyam, 2023 has the potential to revolutionize Indian politics by enhancing the representation and participation of women in legislative institutions. If well implemented and buttressed by wider socio-political reforms, the legislation could go a long way in strengthening gender justice, democratic legitimacy and inclusive nation-building in India.

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