

To be introduce in Lok Sabha

Bill No. 99 of 2009

THE CONSTITUTION (ONE HUNDRED AND TENTH AMENDMENT) BILL, 2009

A

BILL

- *further to amend the Constitution of India.*

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:-

1 .(1) This Act may be called the Constitution (One Hundred and Tenth Amendment) Act, 2009. .

Short title
and
commence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In article 243D of the Constitution,-

Amendment
of article (i) in
243D.

clause (2), for the word "one-third", the word "one-half" shall be substituted;

(ii) in clause (3), for the word "one-third", the word one-half shall be substituted;

(iii) for clause (4), the following shall be substituted, namely:-

"(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of that State:

Provided further that not less than one-half of the total number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes:

Provided also that not less than one-half of the total number of offices of Chairpersons (including the number of offices reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) in the Panchayats at each level shall be reserved for women:

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.",

STATEMENT OF OBJECTS AND REASONS-

Panchayats have a vital role to play in the welfare and development of the weaker sections of society, including women. The representation of the marginalised sections of the society in Panchayati Raj Institutions serves to enhance their voice within these bodies and promotes inclusive governance which is essential for inclusive growth.

2. It needs to be recognised that women suffer multiple deprivations of class, caste and gender. The existing provisions in the Constitution relating to reservation for women in Panchayats have facilitated women, in general, and women from even the most marginalised communities, becoming politically active. Further, reservation of offices of the Chairpersons in the Panchayats for women has brought them into leadership positions. This has enhanced the image of women in the society, especially in rural areas, and has made Panchayati Raj Institutions more inclusive institutions.

3. Article 243D of the Constitution provides that not less than one-third of the total number of seats, and seats reserved for the Scheduled Castes and the Scheduled Tribes as well as offices of Chairpersons in Panchayats at each level, shall be reserved for women. There is a further need to enhance women's participation in Panchayats, as it would serve the twin purpose of empowering women and making Panchayats more inclusive institutions.

4. Accordingly, it is proposed that the reservation for women in Panchayats in the total number of seats, offices of Chairpersons and in the seats reserved for the Scheduled Castes and the Scheduled Tribes across three tiers should be raised from not less than one-third to not less than one-half. Reservation for women belonging to the Scheduled Caste and Scheduled Tribe categories in the offices of Chairpersons in Panchayats at each level should also be not less than one-half.

5. The Bill seeks to achieve the above objectives.

NEW DELHI;
The 6th November, 2009.

C.P.JOSHI.

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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Reservation of

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(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

seats.

243D. (1)*

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(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State:

Provided further that not less than one-third of the total number of offices of .. Chairpersons in the Panchayats at each level shall be reserved for women:

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

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