

Bill No. 22 of 2021

THE CONSTITUTION (AMENDMENT) BILL, 2021

By

SHRI BHARTRUHARI MAHTAB, M.P.

A

BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

1. This Act may be called Constitution (Amendment) Act, 2021. Short title.
2. In article 84 of the Constitution, in clause (b), for the words "twenty-five years", the words "twenty-one years" shall be substituted. Amendment of article 84.
3. In article 173 of the Constitution, in clause (b), for the words "twenty-five years", the words "twenty-one years" shall be substituted. Amendment of article 173.

STATEMENT OF OBJECTS AND REASONS

India is the world's largest democracy. More than 80 crore people are registered as eligible voters with the Election Commission of India. It is a heartening fact that a sizeable portion of this number consists of youth. In order that popular Houses in India are truly representative, it is essential that the youth of nation are given due representation in these Houses.

The Indian Constitution, when originally enacted, set the age of eligibility for a voter as twenty-five years. At that time, the youth in India was not considered to be ready for a larger political role which could justify setting a lower age limit. However, after about thirty-eight years of the working of the Constitution, the voting age was reduced to eighteen years by the Constitution (Sixty-first Amendment) Act, 1988. It was felt that the youth then was more literate and politically conscious than what they were at the time of framing of the Constitution and unrepresented youth of the country needed to be afforded an opportunity to give vent to their feelings and to help them become a part of the political process. Ever since then, a demand has been raised to reduce the age of eligibility for election as member of Lok Sabha and State Legislative Assemblies from twenty-five years to twenty-one years.

The Indian Constitution largely follows the British model structurally, if not philosophically, though with some modifications. The age of candidacy for members of the House of Commons was set at twenty-one years, which was reduced further to eighteen years few years ago. The age of eligibility for membership of the Canadian House of Common is eighteen years, which is the same as for the Australian House of Representatives. Across globe, majority of democracies have set the eligibility age for membership of popular Houses at par with the voting age.

India is a much younger country compared to be aforesaid nations. For a country which was about one-third population in the age group of 15-25 years, it would be quite unreasonable that people below the age of twenty-five years are not allowed to contest elections to popular Houses and contribute proactively to the political process. It is therefore, necessary that in order to establish a truly democratic polity, the age of entry to popular Houses is reduced to at least twenty-one years.

With the above object in view, the Bill seeks to amend article 84 and 173 of the Constitution to reduce the age from twenty-five years to twenty-one years of a person to be qualified to be chosen to fill a seat in Lok Sabha and State Legislative Assemblies.

Hence this Bill.

NEW DELHI;
September 1, 2020.

BHARTRUHARI MAHTAB

ANNEXURE

[EXTRACT FROM THE CONSTITUTION OF INDIA]

*	*	*	*	*
84. A person shall not be qualified to be chosen to fill a seat in Parliament unless he—				Qualification for membership of Parliament.
(a) *	*	*	*	*
(b) is, in the case of a seat in the Council of States, not less than thirty years of age and, in the case of a seat in the House of the People, not less than twenty-five years of age; and".				
*	*	*	*	*
173. A person shall not be qualified to be chose to fill a seat Legislature of a State unless he—				Qualification for membership of the State Legislature.
(a) *	*	*	*	*
(b) is, the case of seat in the Legislative Assembly, not less than twenty-five years of age and, in the case of a seat in the Legislative Council, not less than thirty years of age; and				
*	*	*	*	*

LOK SABHA

A

BILL

further to amend the Constitution of India.

(Shri Bhartruhari Mahtab, M.P.)