

**Bill No. 293 of 2019**

THE CONSTITUTION (AMENDMENT) BILL, 2019

By

DR. SHRIKANT EKNATH SHINDE, M.P.

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BILL

*further to amend the Constitution of India.*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

**1.** This Act may be called the Constitution (Amendment) Act, 2019.

Short title.

**2.** In article 84 of the Constitution, for clause (b), the following clause shall be substituted, namely:—

Amendment  
of article 84.

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“(b) is, in the case of a seat in the Council of States, not less than twenty-five years of age and, in the case of a seat in the House of the People, not less than twenty-two years of age; and”.

Amendment  
of article  
173.

**3.** In article 173 of the Constitution, for clause *(b)*, the following clause shall be substituted, namely:—

"*(b)* is, in the case of a seat in the Legislative Assembly, not less than twenty-two years of age and, in the case of a seat in the Legislative Council, not less than twenty-five years of age; and".

## STATEMENT OF OBJECTS AND REASONS

One of the notable challenges in a Parliamentary democracy across the world is the low level of youth participation in political life. In recent years, many countries have seen a sharp increase in their youth population and currently half the world's population of 7.4 billion is aged between twenty and forty-four. As per Census 2011, Youth (15-24 years) in India constitutes one-fifth (19.1 per cent) of India's total population. India is expected to have 34.33 per cent share of youth in total population by 2020 and poised to become the youngest country in the world with an average age of 29 years.

Forty-five million young people became eligible to vote as they turned eighteen years and were added to India's electoral roll since 2014 according to 2018 data from the Election Commission. The young population of India makes increasing youth engagement in its representative democracy vital to advancing democratic development. The normative perspective entails that youth engagement is pivotal to ensuring inclusive participation and protecting fundamental political and democratic rights.

In addition to the theoretical considerations and principle based approach for engaging youth in politics it is also important to acknowledge that youth engagement is about practical politics. The youth of India have grown up in different cultural, social, economic, political and, crucially, technological contexts to older generations and simply have different experiences, ideas and solutions to bring to the table. Young people remain marginalized from formal political processes due to specific age-related eligibility requirements in order to stand for office which represent a key barrier to youth representation in the decision-making positions within democratic institutions such as Parliaments.

Article 84 (b) of Constitution provides that the minimum age for becoming a candidate for Lok Sabha election shall be twenty-five years. Similar provision exists for a candidate to the Legislative Assemblies *vide* article 173 (b) of the Constitution read with section 36 (2) of the Representation of Peoples Act, 1950. Barring United States, most major democracies either have eighteen or twenty-one years as the minimum age for contesting elections for Parliament or provincial legislatures. The minimum age in the UK is 18 years (reduced from 21 years in 2006). In France, the minimum age to contest for the lower house is 18 years and for the upper house is 24 years. In Israel it is 21 years, while in Germany and Australia 18 years. In Indonesia it is 21 years for the Lower House. In France and Iran, one can even become President of the country at the age of 18 years and 21 years respectively.

The Bill proposes to amend article 84 and 173 to reduce the age for contesting elections to House of the People and State Legislature from 25 to 22 years and 30 to 25 years for Council of States and Legislative Council. This amendment will be a step in the right direction to not only engage and promote participation of young minds in politics but also open an avenue for the youth to be agents of change through political leadership. Young leaders will bolster our vibrant democracy with their ideas and innovative inputs.

Hence this Bill.

NEW DELHI;  
November 6, 2019.

SHRIKANT EKNATH SHINDE

*ANNEXURE*

EXTRACT FROM THE CONSTITUTION OF INDIA

*	*	*	*	*
Qualification for member- ship of Parliament.	<b>84.</b>	A person shall not be qualified to be chosen to fill a seat in Parliament unless he—		
	(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”.		
	*	*	*	*
Qualification for member- ship of the State legislature.	<b>173.</b>	A person shall not be qualified to be chosen to fill a seat in Legislature of a State unless he—		
	(a)	*	*	*
	(b)	is, in the case of a 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		
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*(Dr. Shrikant Eknath Shinde, M.P.)*