

Bill No. 61 of 2024

THE CONSTITUTION (AMENDMENT) BILL, 2024

By

DR. SHASHI THAROOR, M.P.

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BILL

further to amend the constitution of India.

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

1. (1) This Act may be called the Constitution (Amendment) Act, 2024.

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

Short title and
commencement.

Amendment of
article 81.

2. In article 81 of the Constitution,

(a) in clause (1), after sub-clause (b), the following proviso shall be inserted, namely:—

“Provided that at least ten seats under clause (a) shall be reserved for the persons below the age of thirty-five years to be chosen by direct election, on rotation basis, in such manner as the Parliament may, by law, determine .” 5

(b) after clause (3), the following clause shall be inserted, namely:—

“(3A). The reservation of seats for the persons below the age of thirty-five years to the House of the People under clause (1) shall come into effect from the next general election after the enactment of the Constitution (Amendment) Act, 2024.” 10

STATEMENT OF OBJECTS AND REASONS

India has more than 50 percent of its population below the age of twenty-five and more than 65 percent below the age of thirty-five. The country's median age is twenty-eight. India as a country is young. However, its leaders are not. The average age of an Indian parliamentarian is fifty-five. In particular, young citizens are an "excluded majority" with an insufficient presence. Today, those under the age of thirty-five represent more than half of the world's population but in political office, as elected representatives, they are a clear minority. This in itself is a democratic deficit.

If voters are seeking representatives who reflect their interests, they may choose candidates who are roughly their age. This proactive measure of reserving seats in the House of the People will send a signal to our youth that they also have a place in politics. Young adults need representatives whom they can relate to, and who are sensitive to their aspirations and motivated to raise issues that impact them as well. Our youth population is one of the largest in the world and this creates a demographic dividend that could play a significant role in making India a developed nation.

As a young country, we should aim to include the youth in our legislative procedures and discussions, making them the custodians of their own future. They can be indispensable in crafting policies that are futuristic and take into account new and emerging challenges. If India desires to become a world leader, it must make a conscious effort to give its youth a chance to voice their opinions as an integral part of the House of the People.

Thus, in order to facilitate greater participation of young Indians as public representatives in policy-making at the national level, it is imperative to introduce this constitutional amendment to provide for ten seats of the total number of seats in the House of the People for individuals under the age of 35 years who have presented themselves to the electorate in the general elections but failed to secure the election in their own right from a constituency. These ten unsuccessful candidates under the age of 35 years with the best voting percentage in their constituencies shall be deemed elected, and these ten seats would be considered reserved.

Hence this Bill.

NEW DELHI;
June 26, 2024.

SHASHI THAROOR

ANNEXURE

[EXTRACTS FROM THE CONSTITUTION OF INDIA]

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81. (1) Subject to the provisions of article 331, the House of the People shall consist of—

Composition of
the House of the
People.

(a) not more than [five hundred and thirty members] chosen by direct election from territorial constituencies in the States, and

(b) not more than [twenty members] to represent the Union territories, chosen in such manner as Parliament may by law provide.

(2) For the purposes of sub-clause (a) of clause (1),—

(a) there shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and

(b) each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State:

[Provided that the provisions of sub-clause (a) of this clause shall not be applicable for the purpose of allotment of seats in the House of the People to any State so long as the population of that State does not exceed six millions.]

(3) In this article, the expression “population” means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in this clause to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year [2026] have been published, be construed,—

(i) for the purposes of sub-clause (a) of clause (2) and the proviso to that clause, as a reference to the 1971 census; and

(ii) for the purposes of sub-clause (b) of clause (2) as a reference to the [2001] census.

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(Dr. Shashi Tharoor, M.P.)