

Research Article

Social Exclusion of Indian Muslims and Constitutional Provisions for their Inclusion

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ABSTRACT

India is home to the world's second largest Muslim community after Indonesia. Ironically, a significant percentage of this largest minority community of the nation is trapped in the vicious circle of poverty. The Census Report (2001), the Sachar Committee's Report (2006) and the India Human Development Report (2011) reveal that Muslims are a socially, economically and educationally backward community of the country. In order to remove the multidimensional exclusion of the excluded Indian Muslims, it is now necessary to provide 'access to' and 'provision of' opportunities to the community in all spheres of life. Hence, adequate safeguards need to be built for their inclusion in the form of affirmative action policies. The duty of providing adequate safeguards to the excluded communities rests on the shoulders of the supreme law of the land. This duty was first mentioned in the historic Objectives Resolutions adopted by the Constituent Assembly in 1947 and was later incorporated in the preamble of the Constitution of India. Since then, 'equality' and 'justice' have been held to be the twin concerns of the state. Article 15(1) forbids discrimination only on the grounds of race, religion, caste, sex or place of birth. Articles 15(4) and 16(4) empower the state to make special provisions including reservations for the advancement of socially and educationally backward classes in addition to the schedule castes and schedule tribes.

In this context, this paper attempts to argue that Muslims are poor, excluded, deprived of socioeconomic resources and are underrepresented both in education and in employment as a 'community' and therefore they, legally, are entitled for inclusionary measures in the form of reservations as per the provisions given to the 'communities' by the supreme law of the land.

Keywords: Exclusion, Inclusion, Poverty Line, Deprivation, Equality, Justice.

INTRODUCTION

India, one of the oldest civilisations of the world, is home to the world's second largest Muslim community after Indonesia. According to the 2001 census, the Muslim population of India was 13.8 crores accounting for 13.4 percent of the country's total population. This figure is estimated to have crossed the 17 crore mark in 2011 (Pew Research Centre 2011). Overall, 60 percent of the community's population is below 25 years of age and over 35 percent of the community's total population lives in urban areas, making Muslims India's youngest and most urbanised community. Ironically, a significant percentage of this youngest but largest minority community of the nation is trapped in the vicious circle of poverty. According to the India Human Development Report (IHDR 2011), close to 32 percent of Indian Muslims are below the poverty line, implying that one in every three Muslims is below the poverty line. The findings of the High-Level Sachar Committee's Report on the social, economic and educational status of the country's Muslim community in this context needs a special mention here. According to the report, the literacy rate for Muslims was far below the national average, even lower than that of the scheduled castes (SCs) and the scheduled tribes (STs). The female urban enrolment in literacy ratio for the SCs/STs was 40 per cent in 1965, which increased to 83 per cent in 2001. As against this, the same rate for Muslims was considerably higher at 52 percent in 1965 but could be increased only up to 80 per cent—lower than the figure for the SCs/STs. Between the age group of (6–14 years), either 25 per cent of Muslim children never went to school or else dropped out at some stage. According to the Committee's findings, the level of Muslim employment is not proportional to the percentage of their population in any state of the country. In education, up to matriculation and graduation and employment in the formal sector, all other backward castes (OBCs) lag behind in terms of the all-India average. However, Muslim OBCs fall below the Hindu OBCs in all categories. As a community too, Muslims are worse off—lagging behind all religious groups including the Hindus, Christians and Jains, trapped in a vicious circle of poverty and turning into one of the most socio economically excluded community of the country.

SOCIAL EXCLUSION OF MUSLIMS IN INDIA

Social exclusion is defined as an outcome of processes of discrimination against specific groups of people, leading to their systematic disadvantage in relation to economic assets, livelihoods, human resources such as health and education services, as well as political and social participation (DFID, 2005). Historically, social exclusion has sprung up in India due to *the deficit in access* to socioeconomic resources to certain segments of the society in the name of caste, class, ethnicity, gender, region or religion. The society as a result in India got divided into various

groups—the upper-caste Hindus, the Dalits, the tribes, women and the minorities. Owing to deficit in access to productive resources, some people from these categories got trapped in the vicious circle of poverty, while some by improving their socioeconomic status either through access to resources or affirmative action policies managed to get out of the vicious circle of poverty. Muslims as a community in the absence of both the resources as well as the inclusionary policies in turn got socially, economically and politically excluded. Both the Sachar Committee and Mishra Committee's reports have already revealed the magnitude of the multidimensional exclusion of the Muslim community in India. The basis of this multidimensional exclusion is the *deficit* in the access to resources, goods and services to the Muslim minority in the country. The cumulative effect of this deficit, consequently, has made Indian Muslims stand behind the other minorities as well as the historically discriminated, backward and most poor social group of the country—the Dalits. The multiple dimensions of the deficit-causing social exclusion of Indian Muslims are as under:

Deficit in Education

Deficit in education is a facet of social exclusion. It points out a spectrum of social, economic, cultural, political and psychological inequities among various segments of the society. Extreme educational exclusion arises when individuals and groups find themselves systematically excluded from education, which is actually their right as the citizen of the country. Muslims of India are facing the problem of extreme educational deficit even after 66 years of Independence. A comparison between different religious minorities in India shows that the Muslim community has consistently lower levels of mean years of schooling. On average, a Muslim child goes to school for only 4 years. Nearly 25 per cent of Muslim children aged 6–14 years have either never attended school or have dropped out of it. Their drop-out rate is the highest at the primary and secondary levels (GOI, 2006a). Table 1 reveals that 17 percent of Muslim children never enrolled in schools, which is the highest among all socio-religious groups. Absenteeism also at 22 percent is very high among Muslim children. Under the 'Now-in-School' category, Muslims stand at the lowest level of the ladder with 76 percent. As against this, 94 percent upper-caste Hindus and 83 percent Dalit children are in school. This shows that Muslim children between the ages of 6 and 14 are confronting with a serious problem of educational deficit at the school level in India.

Educational exclusion persists even at higher educational levels in India. According to the Sachar Committee's Report, the disparity in graduate attainment rates between Muslims and other categories has been widening since the 1970s. Only one out of twenty-five undergraduate students and one out of fifty post-graduate students in 'premier colleges' are from the Muslim community. The percentage of

Table 1: Schooling Experiences of Indian Children Aged 6–14 years by Social/Religious Group (%)

Socio-Religious Groups	Never Enrolled	Dropped Out	Now in School	Absent 6 days Last Months	Repeated/Failed
Upper-caste Hindus	3	3	94	15	5
Muslim	17	8	76	21	5
Other religion	2	2	96	4	4
OBC	9	4	87	21	5
Dalit	12	5	83	22	8
Adivasi	16	7	77	19	9

Source: Desai et al. (2010, Table A.6.3a).

graduates in poor households pursuing post-graduate studies is significantly lower for Muslims (16 per cent) as against that of the Hindus: General (29 per cent), SCs/STs (28 per cent) and OBCs (23 per cent). Figure 1 shows that in terms of percentage of graduates in proportion to their population, there is only 3.4 per cent of Muslim graduates in the country as against 15.3 per cent for the Hindus and 6.6 per cent for the SCs, STs and OBCs. The share of graduates in the population aged 21 years and above varies widely between different religious communities. Figure 2 shows that Muslims are the most disadvantaged community among all the minorities both in rural and in urban areas of the country. There are only 1.3 per cent Muslim graduates in rural

India, whereas Sikh and Christian graduates are 2.8 and 4.7 per cent, respectively. There is a huge gap between Muslims and other minorities at this level in urban India. Among all the minorities, the Sikhs are at the top with 25 per cent, followed by the Christians with 23 per cent, while Muslims the largest minority community of the country are at the lowest level with only 6.1 per cent in urban India. This indicates that Muslims are facing educational exclusion at the level of higher education in urban India (Table 2), although they are the youngest and the most urban community of the country.

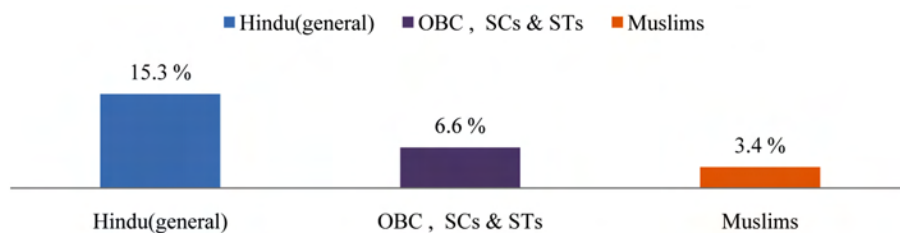


Figure 1 : Graduates as Proportion of Population (2004-05)

Source: GOI (2006a)

Table 2: Inequalities in Higher Education In India (1999–2000)
(Percentage of Graduates in Population Aged 20+ Years)

Religious communities	Rural	Urban
All-India average	2.6	15.5
Hindus (upper caste)	5.3	25.3
Religious Minorities		
• Muslims	1.3	6.1
• Sikhs	2.8	25.0
• Christians	4.7	23.7

Source: Deshpande and Yadav (2006). Based on the NSS Survey 55th Round (1999–2000).

Low level of literacy, highest dropout rate in school, high level of absenteeism and lowest percentage of graduates in proportion to their population make Muslims suffer from a very high level of deficit in education among all socio-religious groups of the country. This deficit in education becomes the very basis of multidimensional exclusion of Muslims in India.

Deficit in Employment

Deficit in employment is the main source of inequalities in the labour market, which arises due to the multidimensional role of economic, social, political and cultural forces in the society. It affects the economic outcomes of productive workers either directly or indirectly. Differences in outcomes such as income as well as the nature and type of employment are attributed to discriminatory practices based on gender, caste, ethnicity, region or religion. In the context of Muslims, the deficit in employment is very high even at the Central Government level in India. According to the Sachar Committee's Report, Muslims in the country are unable to get employment both in organised and in unorganised sectors despite obtaining degrees and certificates. The fact is that the Muslims as a community are far from being adequately or proportionately represented in government jobs at all levels, even in lower-paid or junior posts that do not require high educational qualifications. Table 3 reveals the level of deficit in employment for Muslims in Civil Service Examination in India:

The lack of Muslims' presence in public employment particularly in positions of power such as bureaucracy, police and the judiciary is a matter of great concern. According to the Sachar Committee's Report, Muslims are only 3 per cent in the Civil Services, 1.8 per cent in IFS and 4 per cent in IPS. The unemployment rate among Muslim graduates is the highest among the all socio-religious categories (SRCs), poor as well as non-poor. Muslim participation in professional and

Table 3: Number of Successful Muslim Candidates in Civil Service Examinations

Year	Total Number of Selected Candidates	Total No. of Selected Muslim Candidates	Percentage of Muslim Candidates
1996	638	22	3.4
1998	620	13	2.1
1999	411	15	3.6
2001	417	12	2.8
2003	431	11	2.5
2005	422	08	1.9
2012*	998	31	3.1

Source: Khalidi (2006). *<http://www.upsc.gov.in/exams/final-results/>

management cadres is also quite low. The largest employer in India –the Indian Railways –surprisingly gives employment to only 4.5 per cent Muslims and, significantly, ‘almost all’ (98.7 per cent) are in low-level positions. Figure 2 shows that there is not adequate representation of Muslims in other Departments of Government as well—they are 6.5 per cent in Education, 4.4 percent in Health and

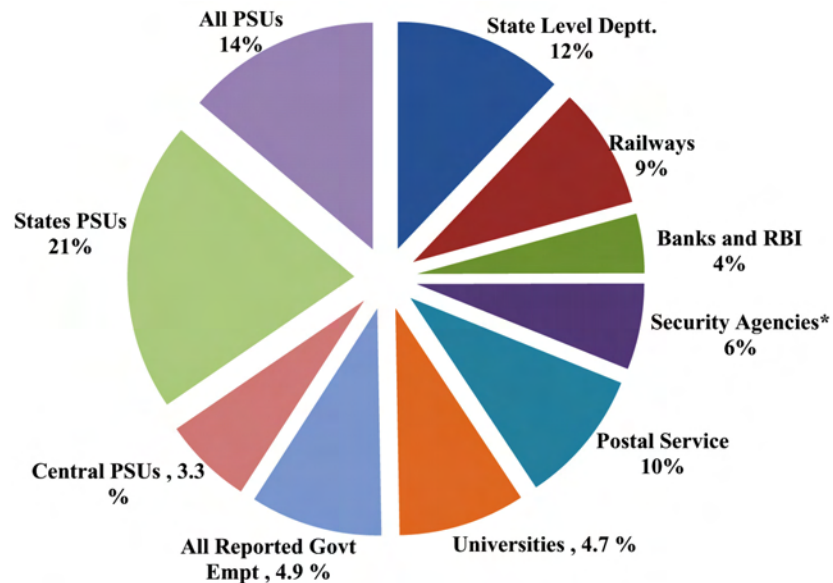


Figure 2 : Percentage of Muslims in Government Sector Employment

*CRPF, CISF, BSF, SSB and other agencies; **129 Universities (central and state) and 84 colleges;

*** Data from 154 PSUs.

Source: GOI (2006a).

7.3 per cent in Home. The Sachar Committee has found out that discriminatory practices, especially at the time of interviews, are responsible for poor Muslim representation even at the Class-IV level or in Grade-D employment wherein high qualifications are not required.

The Committee has revealed in its finding that by State Public Service Commissions, the employment of Muslims has been as low as 2.1 per cent in the recent recruitments. Minorities other than Muslims are not placed as delicately as the Muslims. According to the Committee’s findings, 11 per cent of Group ‘A’ jobs are with minorities other than Muslims.

Deficit in Inclusiveness in Judiciary

For an inclusive democracy, an equitable share of all sections of the society in the judicial system is considered to be essential as it creates greater public confidence in the judicial process. Deficit in the inclusiveness in judiciary is the most worrying aspect responsible for the overall backwardness of the community. According to the Sachar Committee’s Report, the overall presence of Muslims in judiciary at just 7.8 per cent only (in twelve states with high concentration of Muslim population) is very low. West Bengal with a Muslim population of over 25 per cent and Assam with a Muslim population of 30.9 per cent could show only 5 per cent and 9.4 per cent Muslims, respectively, in ‘key positions’ in the judiciary. Surprisingly, in Jammu and Kashmir (where the Muslim population is 66.97 per cent), the community’s share in the state judiciary is only 48.3 per cent. Andhra Pradesh is the only exception where Muslims have a share of 12.4 per cent in the state judiciary as against their population share of 9.2 per cent. Figure 3 shows the exclusion of Muslims in the judiciary through a diagrammatic representation.

Deficit in Political Representation

The socio-eco exclusion of Muslims is also due to the lack of adequate political representation of the community in the country. The number of Muslim members

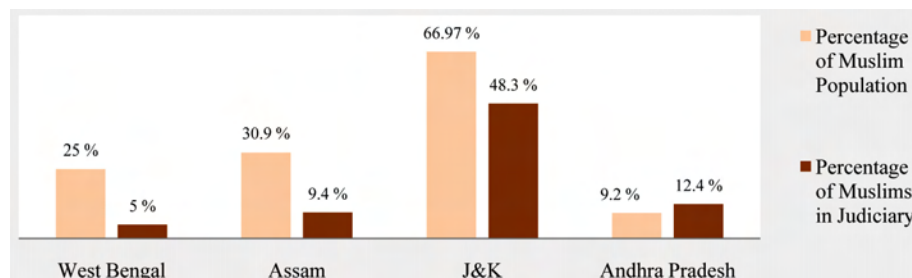


Figure 3: Exclusion of Muslims in Judiciary
Source: GOI (2006a).

elected in the fifteenth Lok Sabha was far below than that of their share in the total population of the country. According to 2001 census, the Muslim population of India was 138 million accounting for 13.4 percent of the country’s total population. Considering the ratio of the Muslim population to the total population of the country, there should have been at least 72 members in the 15th and 16th Lok Sabhas. As against of this, there were only thirty-three Muslim members in the fifteenth Lok Sabha whereas in the recently elected 16th Lok Sabha the number of Muslim MPs is further reduced to only 23, the lowest ever in the history of Indian Parliament. As per the proportion of Muslim population in the country, there is a deficit of 51 seats in the newly elected 16th Lok Sabha. The following graph (Figure 4) shows the deficit in political representation of the Indian Muslims in the present Lok Sabha.

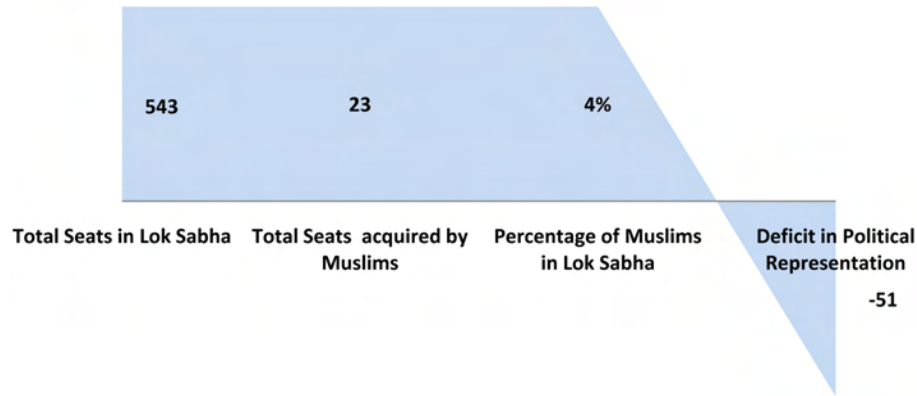


Figure 4: Deficit in Political Representation of Muslims in Sixteenth Lok Sabha

Deficit in Access to Bank Credit

Banks are considered the most important source of credit to support business activities of the people. In order to promote financial inclusion for the excluded people, the issue of providing legitimate financial support by financial agencies is reflected by the access of credit to the excluded groups of the society. According to the Sachar Committee, the share of Muslims as account holders is satisfactory at the all-India level, but there is an 11.5 per cent deficit (compared with the population share of Muslims) in the forty-four minority concentration districts. If the quantum of priority sector¹ advances is considered, a deficit of about 9 percent points is found at the all-India aggregate level and an even higher deficit of 25 percent points in the forty-four minority concentration districts. Table 4 reveals that the share of ‘Others’ in account holders is better than their share in population. They have an 8.5 percent point advantage in priority sector advances (PSAs),

whereas the Muslims have a deficit of 11.5 percent points. The condition of the ‘other minorities’ is also better in the forty-four minority concentration districts where they have a share of 8.5 percent point advantage in PSAs. Table 4 reveals that the Muslim minority is the only community facing the deficit in the forty-four minority concentration districts in India.

Table 4: Priority Sector Advances Extended to SRCs by Public Sector Banks in Forty-Four Selected MCDs (Minority Concentration Districts)(Average of 5 years ending 31 March 2001 to 31 March 2005)

Items/SRCs	Muslims	Other Minorities	Others
No. of Accounts (% of Total)	21.3	5.0	73.7
Percentage Share in Population (%)	32.8	2.0	65.2
Deficit/Surplus	-11.5	+3.0	+8.5

Source: GOI (2006a).

A large numbers of Muslims who are engaged in self-employment ventures need financial assistance from banks for the expansion of their business activities. The Sachar Committee has disclosed that many areas of Muslim concentration have been marked by many banks as ‘negative’ or ‘red’ zones, where giving loans by the banks is not advisable. These blanket bans² make Muslims suffer more from financial exclusion and a high level of poverty –both against the principle of inclusive democracy.

Deficit in Attention: The Poverty Factor

Across all minorities, the incidence of poverty among Muslims is much more pronounced than among any other minority in India. The level of poverty among Muslims is very high because Muslim-concentrated areas in India are faced with the problem of *deficit in attention of the Government* (GOI 2006a). According to the IHDR 2011, close to 32 percent of Muslims in the country were below the poverty line, implying that one in every three Muslims was below the poverty line (IHDR 2011).The incidence of poverty among the Muslims living in rural India is 13.3 percent, whereas among Christians and Sikhs it is observed as 8.5 percent and 2.1 percent, respectively. In urban India, the incidence of poverty was much higher among Muslims (Table 5). This indicates that the relative deprivation of Muslims living in urban areas was much higher in the country as compared with the other minorities.

The head count ratio³ (HCR) is the most popular and robust measure of the incidence of poverty. The Sachar Committee’s report has elaborated that using the HCR, Muslims have recorded the second highest incidence of poverty with

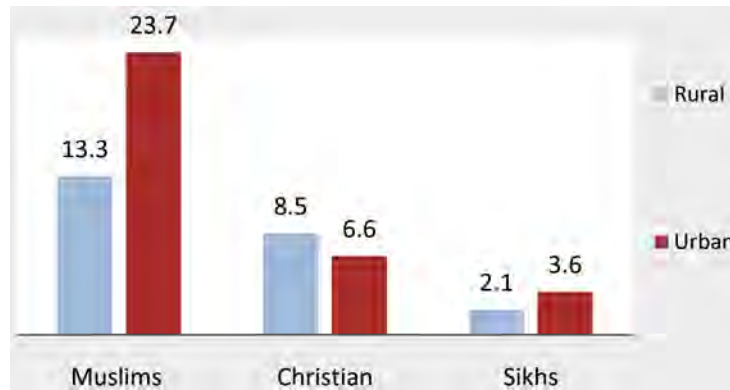


Figure 5: Incidence of Poverty (%)

Table 5: Incidence of Poverty among Religious Minorities in India (2007–2008) (Percentage)

Minorities	Rural	Urban
Muslims	13.3	23.7
Christians	8.5	6.6
Sikhs	2.1	3.6

Source: IHDR 2011 Towards Social Inclusion, IAMR Planning Commission, India.

31 per cent people below the poverty line. Table 5 shows the incidence of poverty by socio-religious groups based on HC ratios from the period of 1993–1994 to 2009–10. This table reveals that the Muslim minority has recorded a decline in the incidence of poverty between 1993–1994 and 2009–2010 in both urban and rural areas. However, the decline was far more significant in rural than in urban areas. The table shows that the incidence of urban poverty remained the highest among the Muslims throughout the period, which indicates that the level of deprivation of the Muslim minority is the highest among all the communities, including the Hindu majority and other minorities in urban India.

The incidence of poverty measured by the HCR is a simple indicator of the number of people below the poverty line. It does not show the intensity of poverty. For example, the HCR remains unchanged if a poor Muslim household becomes poorer. It also does not indicate how far the incomes of poor people have fallen below the poverty line. It is poverty gap (PG) ratio⁴, which measures the intensity of poverty. Table 6 highlights the intensity of poverty among various religious groups in India, which is based on the PG ratio and the Foster–Greer–Thorbecke (FGT) ratio⁵. This table reveals that of the religious minorities, the Muslims have higher PG and FGT ratios in rural India. According to the Sachar Committee’s report,

rural poverty among Muslims arises due to the low incidence of land ownership and the very small size of their land holdings. Muslims in urban India suffer from deeper poverty in the country while other religious minorities such as Christians and Sikhs do not suffer such a depth of poverty. Urban poverty among the Muslims arises from lack of access to private and public sector-salaried employment and limited access to credit for self-employment (GOI 2006a).

Table 6: PG and FGT Ratios for Religious Groups in Rural and Urban India: (1999–2000)

Socio-Religious Categories (SRCs)	Rural		Urban	
	PG	FGT	PG	FGT
1. All-India average	5.25	1.55	5.13	1.64
2. Hindu majority	5.42	1.61	4.65	1.49
3. Minorities				
• Muslims	4.93	1.34	8.15	2.59
• Christians	3.89	1.20	2.60	0.87
• Sikhs	0.44	0.10	1.67	0.40
4. Others	0.71	2.02	4.44	1.43

Source: John and Mutatkar (2005).

Another important definitive indicator of well-being of the population of any society is the consumption expenditure of the households. The Sachar Committee has revealed that the all-India average mean per capita expenditures for the year 2004–2005 was Rs. 712 with Rs. 1023 for H-General, Rs. 646 for H-OBCs and Rs. 635 for Muslims. The poor Muslims consume only 75 per cent of the poverty line expenditure on an average, which is the lowest of all the SRCs. A comparison of the average consumption level of religious groups for all India shows that the average monthly per capita expenditure of Muslims is the lowest in both rural and urban India (John and Mutatkar 2005). This shows that the relative deprivation of the Muslim community in terms of consumption expenditure is much higher as compared with the other SRCs in India. According to the Sachar Committee’s findings, the Reserve Bank of India’s efforts at banking and credit facilities under the Prime Minister’s 15-Point Programme for the welfare of minorities have mainly benefited minorities other than Muslims. This kind of deprivation and financial exclusion is also responsible for aggravating the poverty of the already marginalised Muslim community of India.

Constitutional Provisions for Inclusion of the Muslims

Muslims as a ‘community’ are socio economically excluded and underrepresented in almost all spheres of life. As the Constitution of India confers equal citizenship

rights on all Indians and provides safeguards to minorities, the need of the hour is to promote the inclusion of the excluded Muslim minority through ‘reservations in education and employment’, so that they become inclusive productive agents in the process of economic development of the country. There are 135 constitutional safeguards, which are meant to ensure the full and active participation of all communities, including the Muslims in the country (Shabbir and Ephroz 2013). Some of the important constitutional safeguards are as under:

Article 14 of the Constitution grants equality before the law to all citizens within the territory of India.

‘The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India’

Under Article 16, all minorities enjoy equal rights in public employment without out discrimination on the grounds of caste, language or religion. There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state.

‘No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect or, any employment or office under the State.’

Articles 26, 27 and 28 of the Indian Constitution minorities have the right to manage their own religious affairs, are not compelled to attend state-funded religious institutions and receive equal treatment for minority-managed institutions. Article 30 ensures the right of minorities to administer their own educational institutions.

‘All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.’

Article 249 of the Indian Constitution grants ‘Backward Classes’ a right to preferential treatment in order to bring them up at par with the rest of the population. This includes the provision of reserved seats for ‘Backward Classes’ in national and legislative bodies, educational institutions and public employment.

Article 15(a) of the Indian Constitution provides that states can make special provisions for the advancements of any socially and educationally backward class of citizens. The Constitution encourages the state to make special provisions for the advancements of that section. Muslims are no doubt educationally and socially backward, and therefore they are legally entitled for beneficial measures like the one bestowed by Tamil Nadu, Kerala, Karnataka and Andhra Pradesh governments.

Article 16(4) of the Constitution of India was originally meant for religious minorities where the term ‘minorities’ was replaced by the word ‘classes’. At the

drafting stage, the interpretation for the word ‘class’ was that the word ‘class’ in English and in legal parlance always meant for any section or groups of people that included minorities (Ansari I.A. 2010). Minority groups submitted a representation before the national commission for reviewing the working of the constitution for an express provision for reservation in favour of minorities both in Article 15(4) and in 16(4) of the constitution. The commission in response felt that no special provision was necessary under the existing provisions of Articles 14, 15 and 16 (Shabbir and Epfroz 2013). However, the article mentions that the reservation is necessary and justified if the states are of the opinion that a particular class is not adequately represented in the services:

‘Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.’

Article 16(4) of the Constitution helps out people unable to get employment. Under this article, the state is empowered to take affirmative measures like reservations in appointments in favour of any backward class of citizens, which in the opinion of the state, is not adequately represented on the services under the state. This article even dispenses with the pre-condition of being educationally or socially backward, but the conditions’ inadequacy of representation in the state employment.

The state is under constitutional duty under Article 46 of the Constitution of India to promote social, educational and economic inclusion of weaker sections of the people and also to protect them from social injustice. Promoting the welfare of socio economically excluded citizens is a solemn duty cast on the state by the supreme law of the land. This duty was first mentioned in the historic objective resolutions adopted by the Constituent Assembly in 1947, and later was incorporated in the preamble of the constitution. Since then, ‘equality’ and ‘justice’ have been held to be the twin concerns of the state. Article 15(1) forbids discrimination only on the grounds of race, religion, caste, sex or place of birth. Articles 15(4) and 16(4) empower the state to make special provisions including reservation, for the advancement of ‘*socially and educationally backward classes*’ in addition to the SCs and STs.

The Census Report (2001), the Sachar Committee’s Report (2006) and the IHDR (2011) reveal that Muslims are a socially, economically and educationally backward community of the country. The need of the hour is to make necessary arrangements for their reservation using relevant constitutional provisions as granted by the supreme law of the land. ‘Reservation’ in Indian law is a term used to describe

policies, whereby a portion of employment opportunities or educational opportunities are reserved for the underrepresented group. Muslims as a minority community are underrepresented both in education and in employment; hence, they should be given reservation in proportion to their share in population. This will help the community to get out of the clutches of multidimensional exclusion too.

Inclusive Democracy: Models for Inclusion⁶

Affirmative Action Policies for Muslims in the States

An inclusive democracy is that which promotes inclusion of its entire population irrespective of their caste, creed, gender, region or religion. For an inclusive democracy, inclusion of excluded and marginalised minority communities in the development process is essential. Inclusion helps them increase their participation in the development process as ‘productive agents’, which is necessary for accelerating the process of economic growth of the country. Although the phenomenon of formulating affirmative action policies for the inclusion of excluded groups as a policy-formulating strategy, is not new-fangled to the world, but in India all of the excluded communities including the Muslims have been largely unaffected from the fruits of inclusive democracy. Fortunately, some Indian states like Kerala, Karnataka, Tamil Nadu and Bihar not only formulated affirmative action policies and strategies for the inclusion of the excluded Muslim minority but also implemented them successfully. In terms of the policy of reservation for backward classes, Kerala and Karnataka stand out for having extended the benefits of reservation to the Muslim population and in turn set examples for inclusive democracy (Table 7).

Table 7: Reservation for Minorities by State Governments

State	Category	Education (%)	Employment (%)
Kerala	• Muslims	10	12
	• Christians/LC/Anglo Indians	2	4
Karnataka	Muslims	4	4

Source: GOI (2007, pp133).

The Karnataka Model

The reservation policy in Karnataka dates back to the colonial period (GOI2006a). In the erstwhile princely state of Mysore, affirmative action began as early as in 1874 when a government decision reserved 80 percent of the posts in the Police department for the non-Brahmins, Muslims and Indian Christians. This was

achieved by including Muslims (minus the creamy layer) as a distinct group within the broad category of backward classes and then provided with exclusive quota. Post Independence, on the re-organisation of the State of Mysore as Karnataka, all non-Brahmin Hindu castes and all non-Hindu minority communities like Muslims and Christians were declared as backward classes. In 1960, together with the quota for SCs/STs, the magnitude of reservation increased to 68 percent. Muslims as a whole are considered as a backward community. The Havanur Commission, 1972, recommended the creation of a distinct category of minority group with reservation not exceeding 6 percent. The state classified backward classes into three categories: (a) Most Backward, (b) More Backward and (c) Backward. All Muslims whose income is less than Rs. 2 lakh per annum have been declared backward and placed exclusively in one of the subcategories of 'More Backwards' with 4 per cent of the seats set aside for them (GOI 2006a).

The Kerala Model

In Kerala, the demand for reservation for underrepresented communities was accepted as early in 1936 in the princely states of Travancore and Cochin, and in Malabar, even earlier, in 1921. Quotas were fixed not only for caste groups such as the Ezhavas but also for religious minorities like the Muslims and sections of Christians (GOI 2006a).

In Kerala, the reservation scheme introduced in 1952 fixed the quantum of reservation at 45 percent (including 10 percent for SCs and STs). The beneficiaries included the Ezhavas, Kammalas, the Nadars (Hindu and Christian), other Hindu backward castes (BCs) and SC and OBC converts to Christianity. On the re-organisation of the state in 1956, the quota for backward classes was enhanced to 40 percent. Later, the scheme was modified to introduce sub-quotas for major backward groups. A separate Muslim share was fixed at 10 percent that later increased to 12 percent. At present, the reservation system in Kerala is as follows: Backward Classes 40 percent (Ezhavas 14 percent; Muslims 12 percent; Latin Catholics 4 percent; Nadars 2 percent; Christian converts from SCs 1 percent; Dheevaras 1 percent; OBCs 3 percent; Viswakarmas 3 percent) and SCs and STs 10 percent (GOI, 2006a).

The Tamil Nadu Model

Tamil Nadu offers a model of affirmative action for Muslims or Muslim OBCs that is slightly different from that offered by Kerala and Karnataka. In Tamil Nadu, Muslims as a distinct category are not eligible for reservation, yet nearly 95 percent of the Muslims have been included within the fold of backward classes. To begin with, the Muslims who were educationally backward were given special treatment vide a resolution dated July 29, 1872. Later, it was extended to the 'aborigines'

and low-caste Hindus. As the Brahmins were grossly overrepresented in high-salaried jobs, a Government Order (1927) introduced compartmental reservation whereby of all the posts available to the non-Brahmins were to have 42 percent and Muslims 17 percent, respectively (GOI 2006a).

For the first time in the history of independent India, the backward class commission headed by J.A. Ambasankar conducted an extensive door-to-door caste census of backward communities in Tamil Nadu. Through random sample surveys, the commission ascertained the educational condition and social backwardness of the backward communities. It also conducted a complete survey of public servants to find out the representation of backward communities in government service. The commission submitted its report and recommendations in 1985, which was tabled in the assembly after DMK returned to power in 1989. Following the recommendations of the Ambasankar Commission (1982), the backward classes were split into BCs, Most Backward Classes (MBCs) and De-notified Communities (GOI 2006a). At present, the quantum of reservation in Tamil Nadu is 69 percent, which is far beyond the Supreme Court limit of 50 percent.

The Bihar Model

The *Karpuri formula*⁷ as it is popularly called allows for bifurcation of the category of backward classes into its advanced section, the OBCs and relatively more deprived, the MBCs. The first major effort to understand the plight of backward classes in Bihar was undertaken when the Mungeri Lal Commission was constituted in 1971. In its report submitted in 1975, the Commission recommended the bifurcation of the backward classes into OBCs and MBCs. The OBC list contained 128 castes and the MBC list had 93 castes groups. The Karpuri Thakur government in 1978 accepted the classification made by the Mungeri Lal Commission. For recruitments to jobs, 8 percent was set aside for the OBCs, 12 percent for the MBCs, 14 percent for the SCs, 10 percent for the STs, 3 percent for women and another 3 percent for the economically backward. After the carving out of Jharkhand from Bihar, the above scheme was slightly amended. The ST quota was reduced to 1 percent; the SC quota was now fixed at 15 percent, 13 percent for OBCs, 18 percent for the MBCs and 3 percent for backward caste women. Muslim caste groups, depending on their level of backwardness, have been included either in the OBC or in the MBC list. While nine Muslim groups are in the state's OBC list, twenty-seven of them form part of the MBC list.

CONCLUSION

Muslims as a 'community' in India have been the victims of multidimensional exclusion since independence. The Census Report (2001), the Sachar Committee's

Report (2006) and the IHDR (2011) have also revealed that Muslims are a socially, economically and educationally excluded community in the country. A significant percentage of Muslim population in India is trapped in the vicious circle of poverty too. According to the National Council of Applied Economic Research, three out of ten Muslims were below the poverty line in 2004–2005. Since poverty causes a high level of deficit in education and employment, Muslims are being confronted with the problem of greater deficit in education and employment as compared with any other religious group in India. They are also lagging behind even historically marginalised SCs and STs (GOI 2006a). In a more than 65-years-old democracy of Independent India it has now become necessary to provide them *access to* and *provision of* opportunities in education and employment through 'Reservation'. In the Indian context, 'reservation' is a term that is used to describe policies, whereby a portion of educational and employment opportunities are reserved for the underrepresented groups. Muslims as a community are underrepresented both in education and in employment; hence, they are legally entitled for inclusive measures in the form of reservations as per the provisions given to the 'communities' by the supreme law of the land. In this context, the strong political will for implementing the recommendations of Rangnath Mishra Committee's Report⁸ is also earnestly required. If *access to* and *provision of* opportunities in education and employment through reservation are not given to Muslim community, Muslims as a minority community will keep on facing multidimensional exclusion in the country but that will be against the very spirit of '*inclusive*' democracy, '*inclusive*' growth and '*inclusive*' India.

NOTES

1. **Priority sector:** According to the recommendations of the Internal Working Group of Reserve Bank of India, the priority sector will include only those sectors that impact large segments of population and the weaker sections of the Indian society. The employment-intensive priority sector covers agriculture (direct and indirect finance), small-scale industries (direct and indirect finance), and small business, service enterprises, micro-credit, educational loans and housing loans.
2. **Blanket Ban:** Blanket ban refers to a situation when a complete ban is imposed on the community as a whole (with regard to loans and advances provided by the banks).
3. **HCR:** The Head Count Ratio (HCR) is defined as the percentage of the population whose living standards lie below a given threshold referred to as the 'poverty line'. This ratio counts the number of people below a selected poverty line and divides this number by the total population. HCR can be calculated with the following method:

$$H=m/n$$

or

$$H=F(z)$$

where,

H is the Head Count Ratio

n is the total number of people

m is the number of people below the poverty line

z is the poverty line

4. **PG:** The PG represents the percentage by which the mean income of the poor falls below the poverty line.
5. **FGT Ratio:** The FGT ratio sometimes referred to as FGT metric is a generalised measure of poverty within an economy. It measures the outfall from the poverty line and is weighted by α . The FGT measure was developed by Professor Eric Thorbecke, his students Professor Joel Greer and another graduate student at Cornell University James Foster. The formula for the FGT is given by:

$$FGT_{\alpha} = \frac{1}{N} \sum_{i=1}^H \left(\frac{z - y_i}{z} \right)^{\alpha}$$

where,

z is an agreed poverty line

N is the size of the population in the economy

H is the number of poor (those with income at or below z)

y_i are individual incomes or their expenditure

α is a sensitive parameter. If α is low then the FGT metric weights all the individuals with incomes below z . If α is high those with the lowest income (farthest below z) are given more weight in the measure. The higher the FGT, the higher will be poverty in the economy. If α is high, those with the lowest incomes (farthest below z) are given more weight in the measure. The higher the FGT statistic, the more poverty is there in an economy.

6. This particular section draws heavily from the Sachar Committee's Report (2006a).
7. 'Karpuri formula': Kapoori Thakur, the former Chief Minister of Bihar, adopted a formula for reservation in 1978 where all major castes were

represented. Following the formula it was announced by Thakur that 26 per cent reservation will be given to various categories of people in state government jobs. The break-up of the formula was like this: 3 per cent reservations would be given to women irrespective of their caste and another 3 per cent will be given to the members of poor families belonging to upper castes who are socially and educationally backward. The remaining 20 per cent reservation would further be divided into two parts, one for MBCs and the other for less backward castes among the OBCs.

8. **The Rangnath Mishra Commission** has made the following two major recommendations regarding the issue of 'reservations' for minorities:
 - i. Overall, 15 percent of posts in all cadres and grades under the centre and states should be reserved for minorities with a sub quota 10 percent for Muslims and 5 percent for other minorities.
 - ii. In case of insurmountable difficulty in implementing the above recommendation, alternatively 8.4 percent sub quota with 6 percent for Muslims and 2.4 percent for other minorities should be given.

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