

# THE PREDICAMENT OF MUSLIM EMPOWERMENT IN INDIA

AARISH U. KHAN

## Introduction

India's Prime Minister Manmohan Singh constituted a committee in March 2005 to document the socio-economic status of the Muslims in the country. The committee, headed by Justice Rajinder Singh Sachar and hence commonly known as the Sachar Committee, presented its report in November 2006. The report turned out to be an eye-opener about the condition of Muslims in India. The Sachar Committee Report (SCR) can also be considered an achievement of the Congress-led United Progressive Alliance (UPA) government as it was the first successful attempt at documenting of the socio-economic status of Muslims vis-à-vis the other socio-religious categories (SRCs).<sup>(1)</sup>

This paper is restricted to the analysis of the socio-economic conditions of Muslims, and does not cover issues such as communal violence against them. It sums up some of the key findings of the over 400-page comprehensive SCR and critically analyzes its salient recommendations as well as the follow-up on those by the government. It observes that despite taking the courage to quantify and publicize the information about the deprivation of Muslims, the government has shown reluctance in implementing the key recommendations of the committee. Instead, it has concentrated on labelling some non-Muslim-specific and at times even non-minority-specific actions as the follow-up

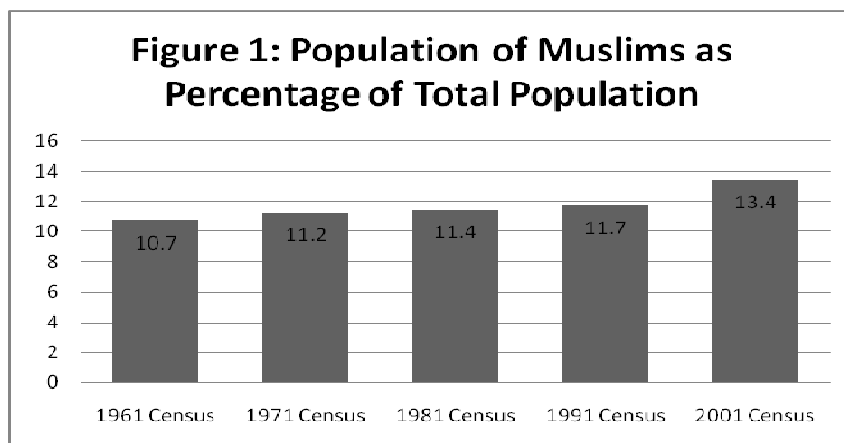
---

Aarish U. Khan is Research Analyst at the Institute of Regional Studies. His special interest areas include religious movements, and non-state actors and Indo-Pakistan relations. *Regional Studies*, Vol. XXX, No.1, Winter 2011-12, pp.38-61

on the report as well as implementing some insignificant recommendations.

### **Sachar Committee Report: An Acknowledgement of Muslim Deprivation and Powerlessness**

The total population of Muslims in India, according to the 2001 census, is 138 million out of the total population of 1.028 billion, which is 13.4 per cent of the total.\* Over the years, the population of Muslims has been growing faster than that of other socio-religious categories (SRCs). Figure 1 shows the rise in population of Muslims as percentage of the total population since the first official Indian government census in 1961.



The consistent increase in the share of Muslims in the total population has been worrying the right-wing elements among the Hindus for long. However, the rise in their population paints a one-sided picture of the state of affairs for the Muslims living there, and their feared takeover of the Indian identity over the years is rather far-fetched. The on-the-ground reality about the Muslims living in India is to the contrary; they are living as a marginalized minority constantly under the influence of — and sometimes under threat of physical violence by — the majority Hindu community. This was also supported by the findings of the Sachar Committee in the report that it submitted in November 2006. The committee was formed by the Indian National Congress-led coalition government which assumed office after the 2004 general elections.

---

\*This paper uses the 2001 census data because comprehensive data on the religious composition of the population according to the latest 2011 census would not be available until mid-2012. Moreover, these population figures include those of the disputed territory of Jammu and Kashmir.

Chaired by a former chief justice of the Delhi High Court Justice Sachar, the committee was tasked, inter alia, to obtain relevant information on Muslim demography, education and employment status, socio-economic development, and their share in the officially designated Other Backward Classes (OBCs).<sup>(2)</sup>

The Report, brought the scale of the deprivation and neglect of Muslims to public notice in such great depth. In its concluding chapter, the SCR makes the following remarks:

The Muslim “Community exhibits deficits and deprivation in practically all dimensions of development. In fact, by and large, Muslims rank somewhat above Scheduled Castes/Scheduled Tribes (SCs/STs) but below Hindu-Other Backward Classes (Hindu-OBCs), Other Minorities and Hindu-General (mostly upper castes) in almost all indicators considered.”<sup>(3)</sup>

The report makes it evident that the socio-economic deprivation of Muslims is fuelled by their lack of education and representation in governance structures. The literacy rate among them — according to the 2001 census data presented in SCR — is 59.1 per cent, which is quite below the national average of 65.1 per cent.<sup>(4)</sup> This translates into even lesser levels of higher education for Muslims. Only around 4 per cent of the Muslim population has achieved a graduate degree or a diploma, constituting less than 7 per cent of the total degree/diploma-holding population<sup>(5)</sup> — far too low than the percentage share of Muslims in the total population of India at 13.4 per cent according to the 2001 census. Only 63 students out of the 4,743 studying in the Indian Institutes of Management (IIMs) and 894 out of the 27,161 in Indian Institutes of Technology (IITs) are Muslim according to the report.<sup>(6)</sup> It further states that only 2 per cent of the students enrolled in post-graduate courses are Muslim, which is considerably lower compared even to the figures for the OBCs (24 per cent) and SCs and STs (13 per cent).<sup>(7)</sup> The report acknowledges non-availability of Urdu education as a reason for the educational backwardness of Muslims<sup>(8)</sup> and suggests that “steps should be taken to ensure that Urdu is taught, at least as an elective subject, in areas which have a substantial presence of Urdu speaking population.”<sup>(9)</sup>

The report also denies that lack of education among Muslims could be attributed to their aversion to modern education. It states:

“Muslim parents are not averse to modern or mainstream education and to sending their children to the affordable Government schools. They do not necessarily prefer to send children to Madarsas. Regular school education that is available to any other child in India is preferred by

Muslims also... There is also a common belief that Muslim parents feel that education is not important for girls and that it may instil a wrong set of values... Our interactions indicate that the problem may lie in non-availability of schools within easy reach for girls at lower levels of education, absence of girl's hostels, absence of female teachers and availability of scholarships as they move up the education ladder."<sup>(10)</sup>

The lack of access to quality education among Muslims has translated into their poor representation in regular salaried jobs in the public and private sectors. According to the SCR, only around 7 per cent of working-age Muslims work in jobs in the formal sector, with 5 per cent in the public sector job market, which is lower than the figure for the Hindu-OBCs and Hindu SCs/STs.<sup>(11)</sup> The total share of Muslims among various socio-religious categories (SRCs) represented in the public sector jobs is also around 5 per cent.<sup>(12)</sup> Furthermore, even this limited share of Muslims in the public sector jobs is in the lower cadres.<sup>(13)</sup> The report states, "in general Muslim men and women are in inferior jobs, such as clerical or Class IV employees, compared to the Hindu men and women even in the public sector jobs."<sup>(14)</sup> Direct recruitment of Muslims into the Union Public Service Commission (UPSC, which is the Indian equivalent of Pakistan's Central Superior Services or CSS cadre) through a competitive examination is mere 2.4 per cent.<sup>(15)</sup> The SCR states:

"Overall, Muslims constituted only 4.9 percent of the candidates who appeared in the written examination of Civil Services in the years 2003 and 2004; this is far below the 13.4 percent share of Muslims in the population. However, the success rate of Muslims is about the same as other candidates."<sup>(16)</sup>

The report shows that Muslim representation in the law enforcement and defence services is abysmally low — actually a lot lower than Hindu-SCs/STs and Hindu-OBCs. The share of Muslims in "Public Order and Safety Activities" at the Central government level is only about 6 per cent, according to the report; while that of the Hindu-Upper Castes (UCs) is 42 per cent and both Hindu-SCs/STs and Hindu-OBCs have a share of 23 per cent each. The report notes that at the state level, the share of Muslims is a little higher at 7 per cent, but still considerably less than the other three categories and in proportion to their overall percentage of the total population. It estimates the share of Muslims in the defence workforce to be only 4 per cent, which is far less

than that of Hindu-SCs/STs (12 per cent), Hindu-OBCs (23 per cent) and Hindu-Upper Castes (UCs) (52 per cent).<sup>(17)</sup>

The meagre representation of Muslims in the public sector and private sector formal job market due to their lower levels of education and other reasons is reflected in the gravitation of Muslims towards the informal sector of the economy, especially the small self-owned proprietary businesses. The report notes that a significant proportion of working age Muslims work in self-owned enterprises; especially in urban areas.<sup>(18)</sup> The economy of a Muslim household, however, is crippled in this field too. The SCR notes that the access of Muslim community to bank credit is “low and inadequate,” and makes the following recommendation: “As self-employment is the main source of income of Muslims, to empower Muslims economically, it is necessary to support self-employed persons by ensuring a smooth flow of credit to them.”<sup>(19)</sup>

The expenditure of a household is considered to be one of the most reliable indicators of its well-being. In India the overall Mean Per Capita Expenditure (MPCE) of Muslims at Rs. 635 falls far below that of the national average of Rs. 712, and only about 60 per cent of the MPCE of the general Hindus category at Rs. 1,023.<sup>(20)</sup> With the exception of Himachal Pradesh, urban poverty for Muslims is higher than the national average in all the states of India.<sup>(21)</sup> On the rural poverty index, however, Muslims show a little better ranking with less than the average national poverty in eight states.<sup>(22)</sup> The report sums up the instance of poverty among Muslims in these words:

“The analysis of differentials in poverty across SRCs shows that Muslims face fairly high levels of poverty. Their conditions on the whole are only slightly better than those of SCs/STs. As compared to rural areas, Muslims face much higher relative deprivation in urban areas.”<sup>(23)</sup>

The SCR has also discussed the issue of reservations for various categories in India and their impact on the Muslims, which is discussed in greater detail in a subsequent section of the paper.

### **Sachar Committee recommendations, follow-up, and analysis**

The SCR has given some far-reaching recommendations. Not all of them, however, have been taken up by the government for implementation. The then federal minister for minorities affairs, A.R. Antulay, in his statement to the Lok Sabha (Lower House of Indian parliament) on 31 August 2007, laid down a plan of action for the implementation of the Sachar Committee recommendations that listed

improvement of basic amenities targeting 90 “minority concentration districts” (details below) for streamlining of bank credit to Muslims, improvement of Muslim education through girls schools and study scholarships, development of Wakf (Muslim Trust) properties, establishment of an Equal Opportunity Commission (EOC), and creation of a “Diversity Index” for workplace diversity, as a priority (details below).<sup>(24)</sup> The latest Sachar Committee follow-up report on implementation of its recommendations available at the Ministry of Minority Affairs website mentions the achievements in the follow-up on the recommendations. The following section analyses the recommendations of the SCR, the government’s follow-up, and a critical analysis of both the recommendations and their follow-up.<sup>(25)</sup>

### **Education**

The SCR observed in its concluding chapter that the situation of Muslims in the field of education was “depressing” and that their school education needed particular attention. The report not only encouraged the government to meet its obligation of compulsory education for children up to the age of 14, it also urged the government to review the school curricula with an aim to reflect diversity and discourage religious intolerance.<sup>(26)</sup> In the field of higher education, the SCR recommended linking allocation of funds to the encouragement of diversity by a certain college or university (Diversity Index is discussed in a little more detail below), besides calling for more girls’ hostels, teacher training, support to Urdu language, and mainstreaming of madrassahs.<sup>(27)</sup>

According to the Ministry of Minority Affairs’ follow-up report on the recommendations of SCR, 427 girls’ residential schools under the Kasturba Gandhi Balika Vidyalaya (KGBV) scheme were sanctioned for minority concentration districts, and a plan of universalization of access to quality education at secondary stage called Rashtriya Madhyamik Shiksha Abhiyan (RMSA) was approved with provision of preference to minority concentration areas.<sup>(28)</sup> The Ministry of Minority Affairs’ Annual Report for 2010-11 states that one model college each would be set up in 374 educationally backward districts (EBDs) of the country, and that out of those 374 EBDs, 67 were in identified minority concentration districts (the subject of minority concentration districts is discussed in greater detail below).<sup>(29)</sup> The annual report has information about setting up of polytechnic institutes in un-served and under-served districts, and says that 36 minority concentration districts are already covered for setting up polytechnics under the programme.<sup>(30)</sup>

The follow-up report states that the University Grants Commission (UGC) has sanctioned 233 women’s hostels during the 11th

Five-Year Plan in 90 minority concentration districts.<sup>(31)</sup> It also lists some madrassah streamlining and modernization initiatives undertaken by the government as well as teacher-training for Urdu-medium teachers and appointment of appropriate numbers of Urdu teachers in localities with more than 25 per cent Urdu-speaking population.<sup>(32)</sup> The report also mentions some scholarships for minority students, details of which are given in the Ministry of Minority Affairs' annual report for 2010-11.<sup>(33)</sup>

Most of the education sector achievements mentioned in the latest Sachar Committee follow-up as well as the annual report by the Ministry of Minorities Affairs — with the exception of scholarship schemes and madrassah-streamlining — are not minority-specific. They are added in there, however, with the impression that they would benefit minority communities including Muslims. For instance, the KGBV scheme was launched in 2004, even before the Sachar Committee was set up. The RMSA is an all-India initiative to achieve the goal of universal secondary education, thus not a Muslim-specific or even minority-specific scheme. Similarly, the establishment of model colleges in EBDs is also presented as minority-specific initiative in the report, which it is not. It would, however, benefit certain segments of minority groups in minority concentration districts (a subject discussed in greater detail below). The end-result is that not much is achieved in the field of education for Muslims. Abusaleh Shariff — who was recently removed from the Assessment and Monitoring Authority of the Planning Commission of India on the implementation of the SCR — made this revelation in August 2011, which speaks of the implementation process in the field of education:

“Most alarming is that the overall shares of Muslims in matric [10<sup>th</sup> Grade] and higher education have improved the least compared with all socio-religious categories between 2004-05 and 2009-10. This has happened along with the lowest base level for Muslims compared with other communities. Urban areas where relatively larger percentage of Muslims lives, the share in higher education has declined during this period.”<sup>(34)</sup>

On the important question of review of textbooks, the follow-up report simply brushes aside the SCR recommendations by saying, “National Council of Educational Research and Training (NCERT) has prepared text books for all classes in the light of the National Curriculum Framework-2005.”<sup>(35)</sup> This essentially negates any inconsistencies at any state level vis-à-vis the 2005 National Curriculum Framework.

### Employment

The SCR recommended taking specific actions to fight discrimination against religious minorities or any other deprived or oppressed community. It recommended that the government constitute an Equal Opportunity Commission (EOC) to address the grievances of the deprived communities.<sup>(36)</sup> To encourage educational and workplace diversity, the SCR also recommended development of a Diversity Index, which could be used to provide incentives to both public and private sector organizations adhering to the provisions of the index.<sup>(37)</sup> In addition, the report also recommended initiatives to improve the conditions of self-employed Muslims as well as improvement of their representation in the job market.<sup>(38)</sup>

As Diversity Index and Equal Opportunity Commission were complex subjects, the government constituted expert groups to give their recommendations on the way forward for the two suggested institutions. The committees presented their reports in March 2008 which were still being processed by the government for any action at the time of writing this paper.

If implemented, the EOC and Diversity Index would be significant safeguards against religious and other forms of discrimination. They are not Muslim-specific initiatives though, as in the words of Zoya Hasan:

“Both the EOC and Diversity Index are in themselves extremely worthy proposals... But neither of these proposals deals specifically with the problem of under-representation of Muslims. Nonetheless, propelled by the official recognition of Muslim under-representation, both schemes are important pointers to a new model of equality which touches upon issues of justice hitherto reserved for caste groups.”<sup>(39)</sup>

The scope of the two is also limited because of the non-binding nature of the recommendations as well as their inapplicability to the unorganized labour market. Chandan Gowda writes:

“Since the EOC [Equal Opportunity Commission] and the EGDI [Expert Group on Diversity Index] recommendations are not mandatory, their beneficial consequences remain to be seen. Further, since they strive to regulate interactions only in the formal organizational arena, a large part of the Indian society located in the informal sector remains outside their scope. The presence of a huge unorganized labour market in India, i.e., 92 per cent of the workforce, cannot



but temper enthusiasm about the welfarist potential of the EOC and EGDI policy recommendations.”<sup>(40)</sup>

Zoya Hasan further adds:

“Moreover, the EOC should not be limited to education and employment. At the very least, it must apply to the housing sector, given the evidence of pervasive discrimination in urban housing. To what extent an EOC can help in the promotion of equality of opportunity without an anti-discrimination law that prohibits discrimination, however, remains doubtful. How much it can help eradicate structural injustice is even more debatable.”<sup>(41)</sup>

It is ironic that the statement by the minister of minority affairs made in the Lok Sabha — as well as the follow-up report of the ministry on SCR — only glosses over the important problem of the chronic under-representation of Muslims in the public sector workforce with no concrete plan of action. The follow-up report only mentions advice to central and state/Union Territory (UT) governments on recruitment of minorities.<sup>(42)</sup> This is simply unreasonable considering that nearly 50 per cent of the central public service positions are reserved for one segment of the society or the other with no exclusive quota for the Muslims. Any discussion on the issue of exclusive reservations for Muslims would be incomplete without an overview of the system of reservation of quotas for the backward communities of India in the fields of education and employment.

### **Reservations and Muslims**

In its quest for promoting national cohesion after independence and the emergence of Pakistan as a separate country for Muslims, the Indian government eschewed any special representation for Muslims, or other religious minorities, for that matter.<sup>(43)</sup> Part XVI of the Indian Constitution (Articles 330 to 342), however, has the title “Special Provisions relating to Certain Classes”, which deals with reservations for Scheduled Castes (SCs) and Scheduled Tribes (STs) in state legislatures and “appointments to services and posts in connection with the affairs of the Union or of a State.”<sup>(44)</sup> Therefore, job reservations for the SCs and STs were incorporated by public sector organizations under a constitutional obligation soon after the promulgation of the Constitution.<sup>(45)</sup> Those reservations were, however, restricted mainly to Hindu-SCs and -STs. The Sikhs were the first religious minority to be formally included in the SC/ST reservations in 1956, followed by the Buddhists in 1990; the Muslims and the Christians remained excluded,

save a negligible 0.25 per cent representation for Muslims among STs according to the 1991 census.<sup>(46)</sup>

The biggest increase in the number of reservations for various classes came in 1990 on the recommendations of the Mandal Commission (1980). That particular decision by the then government reserved 27 per cent positions in the central government and public undertakings for Other Backward Classes (OBCs) — that included Muslims — in addition to the 22.5 per cent reservations for SCs/STs.<sup>(47)</sup> While reservations in government jobs on such a massive scale is a controversial subject in India to this day, this paper would concentrate on how those reservations for non-SC/ST OBCs affected Muslims of India.

The reservations were not extended to all the Muslims. Only the Muslims listed as OBCs were eligible for the reservations. For the purpose, the Muslims are divided into four broad classes (or ‘castes’ so to say). The *Ashraf* who trace their origins to foreign lands such as Arabia, Persia, Central Asia or Afghanistan; the upper-caste Hindus who converted to Islam; the middle-caste Hindu converts whose occupations are ritually clean called *Ajlaf*; and the converts from the erstwhile untouchable castes called *Arzal*. These four groups are usually placed into two broad categories: *Ashraf* (the former two categories of Muslims) and *Ajlaf* (the latter two categories of Muslims).<sup>(48)</sup> While theoretically, according to this arrangement, the Muslims of the *Ajlaf* category qualify for the OBC reservations, the reservations for Muslims are made in a way that makes it very difficult for them to actually benefit from the reservations. There are no separate reservations for Muslim OBCs (the *Ajlaf* among Muslims) in the central and almost all the state governments;\* rather, they are clubbed together with all other OBCs. This makes it very difficult for them to compete with the more numerous and better educated OBCs of other religions. The Sachar Committee, thus, made the following recommendation:

“By clubbing the arzals and the ajlaf among Muslims in an all-encompassing OBC category, the Mandal Commission overlooked the disparity in the nature of deprivations that they faced. Being at the bottom of the social hierarchy, the arzals are the worst off and need to be handled separately. It would be most appropriate if they were absorbed in the SC list, or at least in a separate category, Most Backward Classes (MBCs) carved out of the OBCs.”<sup>(49)</sup>

---

\* Karnataka and Kerala are the two exceptions at the state level.

While the SCR recommendation for differentiating between the lower and lowermost 'caste' among Muslims makes sense, the whole idea of dividing Muslims on the basis of the caste system is contrary to Muslim concept of social organization. Some have argued that the differences in economic conditions of the *Ajlaf* and *Arzal* vis-à-vis the *Ashraf* are real and, thus, the latter require preferential treatment.<sup>(50)</sup> There are others who argue that such 'caste' distinctions were not imposed on Muslims by the Hindu majority of India, but that those were Arabic words that existed during the Muslim rule as well.<sup>(51)</sup> Several other common denominators dividing the Muslims into the elite and non-elite could be figured out though, if fixation on 'caste' in a Hindu-dominated India was not so overbearing. Division of Muslims on the basis of their pre-conversion status is akin to negating the conversion of Hindus to Islam altogether, besides dividing the Muslims on 'caste' lines. Going through several references to the usage of the terms *Ashraf* and *Ajlaf* during Muslim rule in different parts of India, it seems like the distinction is generalized and overstated. Furthermore, even if such distinctions did occur in that period in certain areas of India, they were against the basic precepts of Islam and should have been discouraged.

The aggregate impact of the inclusion of Muslims into the OBC category to qualify for reservations is negative. First, there are no exclusive reservations for Muslim OBCs, which make them vulnerable to stiff competition from the more numerous and better educated OBCs of other religions. Second, the criteria for inclusion of Muslims into the OBC category for the reservations have Hindu origins. Not only does the OBC category for Muslims need to be exclusive, its criteria need some serious revision as well. Subsequently, as the SCR has recommended, the exclusive OBC list for Muslims could further be divided into OBCs and MBCs (Most Backward Classes). The criteria, however, need certainly not be the pre-conversion status of the Muslims in the society. The Indian government will have to think out of the box of Hinduism to understand the economic deprivation of certain segments of the Muslim society.

### **Empowerment**

Creation of space in the governance structures for Muslims was one of the most important recommendations of the SCR. The report noted:

“One reason for less than adequate participation in the development process may be due to inadequate participation in the governance structures... Over the last sixty years minorities have scarcely occupied adequate

public spaces. The participation of Muslims in nearly all political spaces is low which can have an adverse impact on the Indian society and polity in the long run.”<sup>(52)</sup>

In his statement to the Lok Sabha, the minority affairs minister did mention the constitution of a high-level committee to review “the Delimitation Act \* and the concerns expressed by the Sachar Committee regarding anomalies in the representation of Muslims.”<sup>(53)</sup> The follow-up report only adds a one-liner on this important subject, “A High Level Committee, set up to review the Delimitation Act, has considered the concerns expressed in the Sachar Committee report and submitted its report.”<sup>(54)</sup>

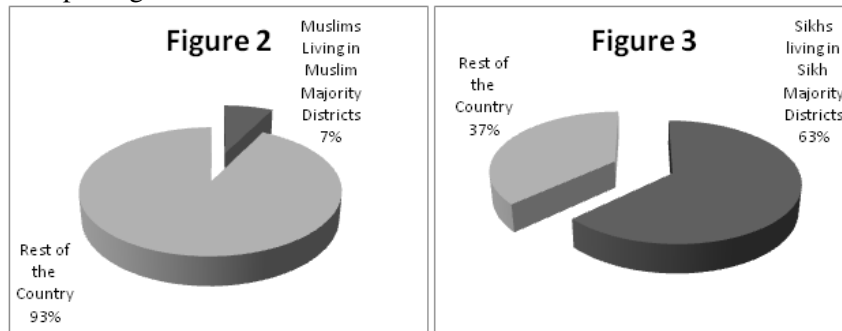
This is a serious disregard for an important problem of Muslims in India, the magnitude of which is not completely or even adequately highlighted by such an authentic document as the SCR. According to the 2001 census, there were 593 districts in India, out of which only 20 were Muslim-majority districts.\* It means that only 3 per cent of all the districts of India (including those of the disputed territory of Jammu and Kashmir) had Muslim majority. These districts are scattered far and wide all across India. Uttar Pradesh, which is home to 22 per cent of the total Muslim population of India, does not have a single Muslim-majority district. If we exclude the disputed territory of Jammu and Kashmir from the figures, only 10 districts out of the total 593 according to the 2001 census are Muslim-majority districts. The Sikh community, which was only 1.9 per cent of the total population of India according to the 2001 census, is in majority in 13 districts. Figure 2 and Figure 3 give a comparative picture of the percentage populations of Muslims and Sikhs living in districts where they are in majority. While the concentration of Sikhs in one geographical area in the north-west of India could be considered a reason for their better representation as a majority in the state of Punjab, the disparity between Muslims and Sikhs — considering their overall percentages in the total population — is too obvious to

---

\*Delimitation Act provides for readjustment of the allocation of seats in the Lok Sabha to the states, the total number of seats in the Legislative Assembly of each State, the division of each State and each Union territory having a Legislative Assembly into territorial constituencies for elections to the Lok Sabha and legislative assemblies of the States and Union territories and other matters.

\* According to the administrative figures released after the 2011 census, the number of districts has been increased to 640 from 593 as per the 2011 census. It is yet to be seen how that has affected the representation of Muslims at the district levels because the district-wise figures by religion are yet to be released. It is worth noting, however, that eight new districts have been created in the disputed territory of Jammu and Kashmir since the 2001 census. Six of those newly carved out districts have affected the borders of the Muslim-majority districts as per the 2001 census. It would be interesting to see how the changes have affected the population composition of the districts once the district-wise data by religion is released sometime this year by the Census Organization of India.

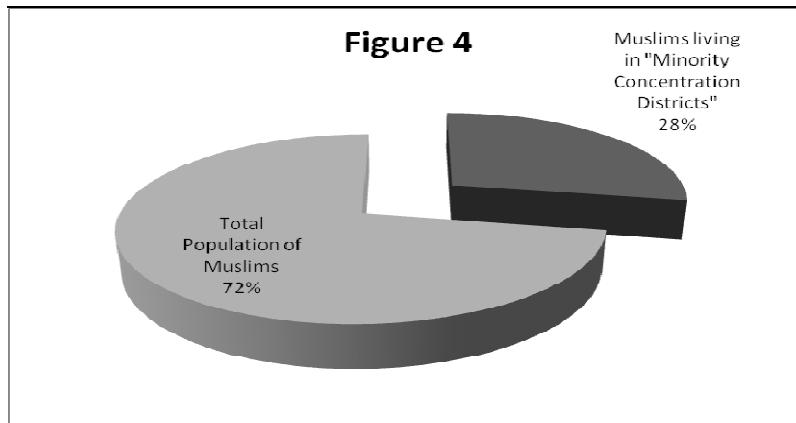
ignore. For instance, not finding a single Muslim-majority district in Uttar Pradesh, a state with around 30 million Muslim population — which is greater than the total population of the Sikh-majority Punjab — is surprising.



Source: Based on district-wise population figures of the 2001 census.

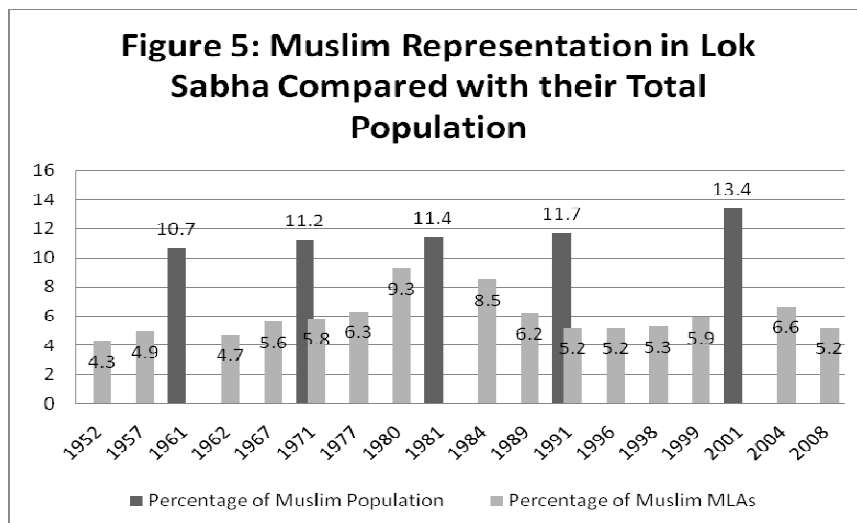
Such “minoritization” of Muslims to the grass-roots levels becomes one of the major hurdles in their upward social mobility because they have to compete with a majority population, which is economically, socially, educationally, and politically more powerful. That is partly the reason the SCR found that “the share of villages with no electricity increases substantially as the size of the village falls and the share of Muslim population rises;”<sup>(55)</sup> or that “About a third of small villages with high concentration of Muslims do not have any educational institutions... About 40% of large villages with a substantial Muslim concentration do not have any medical facilities.”<sup>(56)</sup> Observers aware of the power-play in the administrative structures at the grass-roots levels in the South Asian context could easily appreciate the negative fallout of such administrative minoritization of Muslims.

Let us take the example of the much-talked-about 90 “minority concentration districts” that are designated by the government of India after the submission of the SCR for positive discrimination because of their socio-economic backwardness as well as concentration of religious minorities.<sup>(57)</sup> Even though that list includes 7 out of the total 10 Muslim-majority districts of India — excluding the disputed territory of Jammu and Kashmir — Muslims still constitute only 30 per cent of the total population of the minority-concentration districts.<sup>(58)</sup> Moreover, the designated “minority-concentration districts” only cover a segment of the population of Muslims in India; a great majority of them are living outside those districts as shown in Figure 4 (the inclusion or exclusion of the population of the disputed territory of Jammu and Kashmir makes only marginal difference to the percentages).



Source: Based on the 2001 Indian Census figures

The number of national level electoral constituencies allocated to each state on the basis of the 1971 census — and frozen to that effect until 2026 by the 84<sup>th</sup> Constitutional Amendment (2002) — are usually less than the total number of districts in any particular state and roughly correspond to the boundaries of one or more than one districts.<sup>(59)</sup> This “minoritization” at the district level is thus also reflected in the electoral constituencies of the central and state legislatures. Even in cases where the electoral constituency demarcation does not correspond to the borders of the administrative districts, the constituencies are delimited in a way that it fragments the Muslim concentration pockets into various contiguous constituencies.<sup>(60)</sup> This is one of the reasons Muslims have always remained under-represented in the Lok Sabha as compared to their overall share in the total population of India. Figure 5 shows a comparison of Muslim share in the total population of India according to various census reports and their representation in the Lok Sabha over the years. It is quite obvious from Figure 5 that even at the height of their representation in the Lok Sabha in the 1980s, they were still under-represented as compared to their population. Other minority communities of India, like the Sikhs and Christians, are not as under-represented in the national parliament as the Muslims.<sup>(61)</sup> One of the reasons for their limited presence in the Lok Sabha is that major parties are not eager to giving tickets to Muslim candidates.<sup>(62)</sup> This could also be a direct consequence of the Muslim ‘minoritization’ because of which the major parties do not see much political merit in nominating Muslims against Hindu candidates nominated by the rival political party who are more likely to succeed because of the numbers game in each constituency.



Source: Data of various censuses on SRCs; Hilal Ahmed, “Debating Muslim Political Representation” in Seminar No. 586: (June 2008): Redrawing Boundaries; and Christophe Jaffrelot et. al., “Understanding Muslim voter behavior,” in Seminar No.602: (October 2009): India’s Religious Minorities.

In Pakistan, 10 seats out of the 342 National Assembly (lower house) seats are reserved for the non-Muslims, which at around 3 per cent seem to do justice to the population of non-Muslims in the country at less than 4 per cent of the total.\* Reservations in the national parliament for minority religious communities — especially Muslims — is a taboo subject in India, quite understandably, because of the call for separate electorates for Muslims by the All-India Muslim League prior to 1947 and the circumstances of partition. Steps need to be taken in India, however, for improving Muslim representation in the national legislature, as also for empowerment of Muslims at the district levels to ensure that they are taken seriously as a community.

**Muslim response**

The neglect of socio-economic development of Muslims and the marginalization of the community on the part of the Indian government over the years could be attributed to a variety of factors. The most important among them are: the circumstances of the partition resulting in the creation of a homeland for Muslims in the immediate neighbourhood;<sup>(63)</sup> and the rise of Hindu right-wing organizations that

\* Pakistan’s reservation for non-Muslims has its flaws too, but that is not the topic of discussion here.

have come to view anti-Muslim demagoguery as a tool for deflecting the potential of social division among the Hindus. The response of the Muslim community, thus, cannot be viewed in the context of the socio-economic marginalization on the part of the state alone. It would have to take into account the societal trends such as the post-partition Muslim identity crisis, the rise of Hindu fundamentalism in India, and manifestation of the latter in the form of anti-Muslim violence. So far, the overall approach of the successive governments in India towards Muslims has been that of symbolic appeasement such as appointing Muslim personalities on positions of symbolic importance, etc. This has led to the demonization of Muslims by the right-wing Hindu groups as an unduly favoured religious community, which has, inter alia, contributed to the stoking of communal violence against the Muslims.

Some observers have criticized Muslim-specific initiatives, even such as the SCR, as promoting 'communitarianism' and empowering the Muslim elite and the clergy.<sup>(64)</sup> Actually, the Muslim voting behaviour over the years as well as the wooing of Muslim voters on the basis of Muslim issues by various political parties and alliances is an indication that the Muslims do see themselves as a community. For instance, after the inaction of the Congress following the demolition of Babri Mosque at the hands of Hindu extremists in 1992, the Muslim vote that was so loyal to it for decades — despite some policies of Indira Gandhi in the 1970s evidently disliked by the Muslims — shifted towards the regional political parties. The same Muslim vote turned in favour of Congress and its allies after the BJP government wilfully ignored the massacre of Muslims at the hands of Hindu extremists in 2002. Perhaps, the Muslim cohesion as a community could be softened precisely by adopting pro-Muslim policies that would safeguard their interests against the majority Hindu community and, more importantly, protect them from the violence of extremist Hindu vigilante groups, and not by just shutting the eyes to the Muslim grievances.

While the political manifestation of the Muslim reaction to their systematic targeting by the majoritarian state can be evidenced in the Muslim voting patterns, its social manifestation can be seen in Muslim gravitation towards religious practice. This has resulted in the ascendance of the clergy as the custodian of the Muslim personal space against the attacks by the majority Hindu community and the majoritarian state. The ascendance of the clergy can be seen in the intense opposition to Uniform Civil Code that would do away with the Muslim, and other, personal law, and the monumental proliferation of religious identity and practice-based movements such as the Tableeghi Jamaat. The Indian government has also contributed, advertently or



inadvertently, to the cocooning of Muslims in the personal realm and the rise of the clergy. For instance, the All-India Muslim Personal Law Board — an institution for the protection of Muslim personal law — was established in 1973, while the Ministry of Minority Affairs was established as recently as in 2006. As another instance of the trend, when the Indian government declared a state of emergency and banned several religious organizations (1975-77), the Tableeghi Jamaat was allowed to carry on its activities unhindered.<sup>(65)</sup> Similarly, the enactment of the Muslim Women (Protection of Rights on Divorce) Act of 1986 by the Congress — diluting the liberal judgment of the Supreme Court on the right of divorced Muslim women to receive alimony in the famous Shah Bano case — can be considered another example of strengthening conservative Islam. The regional political parties, which were the main beneficiaries of the loss of Muslim vote by Congress in the 1990s, also “pander[ed] mainly to the interests of the conservative Muslims.”<sup>(66)</sup> If Muslims as a community had been given the socio-economic and political space that they really deserved in India, they might not have inclined towards assertion of their religious identity — a response generated largely by their sense of insecurity and subtly stoked by the government policies.

### **Conclusion**

The current trajectory of the implementation of the SCR recommendations is leading it nowhere near the goal of empowerment of the Muslim community. It is, thus, no wonder that the performance of the Ministry of Minority Affairs came under criticism from the parliament’s Standing Committee on Social Justice and Empowerment in its 17th report, which said that apart from the scholarship schemes and financial aid to the community under Maulana Azad Foundation, the minority affairs ministry was “not paying heed to the root of the problems as publicised in the report of Sachar Committee.”<sup>(67)</sup> The Standing Committee is right in its observation because the government has simply overlooked the most important aspects of Muslim deprivation and its root causes.

More recently, the authors of the SCR also made their grievances on the implementation of its recommendations public. Justice Sachar termed the non-implementation of SCR ‘unfortunate’ while his colleague, Abusaleh Shariff who was the member-secretary of the committee, said more bluntly, “Our report recommended mainstreaming. Now the opposite is happening, for reasons of political timidity or because isolating Muslims as a community suits them.” Both of them

also expressed their dissatisfaction over non-implementation of the EOC and Diversity Index recommendations.<sup>(68)</sup>

Generalized education sector public programmes such as Kasturba Gandhi Balika Vidyalaya (KGBV) and Rashtriya Madhyamik Shiksha Abhiyan (RMSA) would be as much or as less beneficial for Muslims as any other such general scheme that is not Muslim-specific. The Indian government is dragging its feet on the implementation of the reports of the expert groups on Equal Opportunity Commission (EOC) and Diversity Index, which are not even Muslim-specific programmes but might lead to improvement in their representation in the job market. The government has not done any substantial follow-up vis-à-vis the improvement of Muslim representation in public sector employment. Furthermore, the Muslims are handicapped in competing in the reserved quotas for Other Backward Classes (OBCs) because they are lumped together with OBCs from all the other religions which are greater in numbers and higher in social hierarchy than them. Additionally, the criteria for inclusion into the OBC category are profoundly Hindu and against the Islamic teachings. The Muslim disempowerment stems not only from their lack of access to education and public service but also administrative and political marginalization evident from their “minoritization” at the district levels. The 13 per cent Muslim population of India is in majority in only 1.6 per cent of the total districts according to the 2001 census.\* No wonder they are ignored because of their political and governance marginalization by the government agencies responsible for infrastructure development and social service delivery, as well-documented by the SCR.

It is evident from the findings of the Sachar Committee Report that the Muslims in India are deprived and disempowered. For empowerment of any community, it is essential that it is included in decision-making through greater inclusion into public service and political decision-making. Overall Muslim backwardness in the fields of education, employment, and governance is considered both the cause and effect of their social deprivation at the neutral and self-evident level. There are, however, more deep-rooted causes of Muslim under-representation in public offices, their snail-paced upward mobility, and even their limited access to education. A particular mindset in India — influenced, inter alia, by the circumstances of partition of India and creation of Pakistan as an independent state for Muslims of India — seems to have generated a particular sense of scepticism about the Muslims. This particular mindset has translated into a measured but

---

\* All percentages are based on the population figures excluding those of the disputed territory of Jammu and Kashmir.

resolute ostracization of Muslims in India. At times it has also shown its ugly face in the shape of anti-Muslim riots and mass murder of Muslims while the state remained a silent spectator. And any time any government tried to do something even symbolic for Muslims, it was termed by the Hindu right as the 'appeasement' of Muslims.

The empowerment of clergy among the Muslims is also a consequence of the Muslims neglect rather than their 'appeasement'. The reason for the coalescence of Muslims around religious issues and religious personalities is their retreat from the socio-political to the personal owing to their overall neglect and disempowerment. Pakistani Muslims are a case in point. Whenever they were given an opportunity to freely choose to bestow their trust in a particular leadership or a system, they preferred modern over the conservative. Muslims would be better co-opted in the Indian state through their inclusion into decision-making processes and increasing their stake in the system rather than "Indianizing" by trying to marginalize them at best or kill their distinct identity at worst.

### Notes and References

1. Some earlier attempts had failed. See Shaheen Akhtar, *The State of Muslims in India*, Institute of Regional Studies, Islamabad, 1996, pp.11-12.
2. Ibid., pp.v-viii.
3. Sachar Committee Report, 2006: *A Report on the Social, Economic, and Educational Status of the Muslim Community of India*, p.237.
4. Ibid., p.52.
5. Ibid., p.64.
6. Ibid., pp.68-69.
7. Ibid., p.71.
8. Ibid., p.79.
9. Ibid., p.83.
10. Ibid., p.85.
11. Figure rounded off to the nearest non-decimal value. Sachar Committee Report, 2006, p.113.
12. Figure rounded off to the nearest non-decimal value. Sachar Committee Report, 2006, p.165.
13. Sachar Committee Report, 2006: *A Report on the Social, Economic, and Educational Status of the Muslim Community of India*, p.167-169.
14. Ibid., p.105.
15. Ibid., p.166.
16. Ibid., pp.166-167.
17. Ibid., p.102.
18. Ibid., p.95.
19. Ibid., p.136.
20. Ibid., p.153.
21. Ibid., p.159.
22. Ibid., p.160.
23. Ibid., p.161.
24. Statement by India's Minister of Minority Affairs A.R. Antulay, in the Lok Sabha on 31 August 2007, on the "Follow-up action on the recommendations of the Sachar Committee," available at <[http://www.minorityaffairs.gov.in/sites/upload\\_files/moma/files/LoksabnhaDoc.pdf](http://www.minorityaffairs.gov.in/sites/upload_files/moma/files/LoksabnhaDoc.pdf)>, last accessed 9 August 2011.
25. For SCR recommendations see Sachar Committee Report, 2006, pp.237-254.
26. Sachar Committee Report, 2006, pp.243-244.
27. Ibid., pp.245-248.

28. Follow-up report available at the Ministry of Minority Affairs, Government of India website at <[http://www.minorityaffairs.gov.in/sites/upload\\_files/moma/files/Sachar\\_Annual\\_Reportnew.pdf](http://www.minorityaffairs.gov.in/sites/upload_files/moma/files/Sachar_Annual_Reportnew.pdf)>, pp.1-2, last viewed 9 August 2011.
29. Annual Report, 2010-11, Ministry of Minority Affairs, Government of India, p.14.
30. Ibid., p.14.
31. Follow-up report, op.cit., (ref.30), p.2.
32. Ibid., pp.2-3.
33. Annual Report, 2010-11, op.cit., (ref.31), pp.52-53.
34. Abantika Ghosh, "PM urged to review Sachar panel's recommendations," *The Times of India*, 6 September 2011, available at <<http://timesofindia.indiatimes.com/india/PM-urged-to-review-Sachar-panels-recommendations/articleshow/9877770.cms>>, last viewed 6 September 2011.
35. Follow-up report, op.cit., (ref.30), p.4.
36. Sachar Committee Report, 2006, op.cit., (ref.5), p.240.
37. Ibid., p.242.
38. Ibid., pp.251-253.
39. Zoya Hasan, "Muslim deprivation and the debate on equality," in *Seminar, No. 602: India's Religious Minorities*, October 2009, p.37.
40. Chandan Gowda, "New practices of affirmative action" in *Seminar, No. 602*, October 2009: "India's Religious Minorities," p.33.
41. Zoya Hasan, op.cit., (ref.41), p.36.
42. Follow-up report, op.cit., (ref.30) p.6.
43. Zoya Hasan, "Competing Interests, Social Conflict and Muslim Representation," in Mushirul Hasan (ed.) *Living with Secularism: The Destiny of India's Muslims*, (New Delhi: Manohar Publishers, 2007), p.19.
44. Constitution of India, Article 335.
45. S.R. Maheshwari, *The Mandal Commission and Mandalization: A Critique*, (New Delhi: Concept Publishing Company, 1991), p.19.
46. Zoya Hasan, "Competing Interests...", op.cit., (ref.45), p. 20. For the figures of Muslims representation among STs see Mujibur Rehman, "Muslim Politics in India and the 15<sup>th</sup> General Elections," in Ajay K. Mehra, (ed.), *Emerging Trends in Indian*

- Politics: the Fifteenth General Election*, (New Delhi: Routledge India, 2010), p.144.
47. S.R. Maheshwari, *The Mandal Commission and Mandalization: A Critique*, (New Delhi: Concept Publishing Company, 1991, p.21.
  48. See Sachar Committee Report, 2006, op.cit., (ref.5), pp.192-193.
  49. Ibid, p.195.
  50. Zoya Hasan, "Competing Interests ... op.cit., (ref.48), p.26.
  51. Ashfaq Husain Ansari, "Rejoinder to Syed Shahabuddin" in *Milli Gazette*, 16-30 November 2004. See also Dileep Karanth, "Caste in Medieval India: The Beginnings of a Reexamination," at [http://www.infinityfoundation.com/mandala/h\\_es/h\\_es\\_karan\\_caste.htm](http://www.infinityfoundation.com/mandala/h_es/h_es_karan_caste.htm), last viewed 16 August 2011.
  52. Sachar Committee Report, 2006, op.cit., (ref.5), pp.240-241.
  53. Statement by A.R. Antulay, op.cit., (ref.26).
  54. Follow-up report, op.cit., (ref.30), pp.6-7.
  55. Sachar Committee Report, 2006, op.cit., (ref.5), p.147.
  56. Ibid., p.150.
  57. List of "minority concentration districts" in Annual Report 2010-11, Ministry of Minority Affairs, Government of India, pp.64-67.
  58. Author's calculation on the basis of district-wise population data of the 2001 census.
  59. See Delimitation of Assembly and Parliamentary Constituencies on the Delimitation Commission of India website [http://eci.nic.in/delim/Procedure/Delimitation\\_of\\_Constituencies.pdf](http://eci.nic.in/delim/Procedure/Delimitation_of_Constituencies.pdf).
  60. See [http://www.syedshahabuddin.com/sachar\\_mishra\\_reports.html](http://www.syedshahabuddin.com/sachar_mishra_reports.html), last accessed 26 August 2011.
  61. Niraja Gopal Jayal, "A Malevolent Embrace? The BJP and Muslims in the Parliamentary Election of 2004," in Mushirul Hasan, (ed.), *Living with Secularism: The Destiny of India's Muslims*, (New Delhi: Manohar Publishers 2007), pp.256-257.
  62. Christophe Jaffrelott et. al., "Understanding Muslim voter behaviour," in *Seminar No. 602*, (October 2009) p.46.
  63. See Balraj Puri, *Muslims of India since Partition*, (New Delhi: Gyan Publishing House, 2007), pp.16-18
  64. D.L. Seth, "Minority politics: The shifting terms of policy discourse" in "*India's Religious Minorities*," *Seminar No. 602* (October 2009) pp.16-17.

65. Yoginder Sikand, "The Tablighi Jama'at and Politics," *ISIM Newsletter* 13 December 2003, p.42.
66. Mujibur Rehman, "Muslim Politics in India and the 15<sup>th</sup> General Elections," in Ajay K. Mehra (ed.), *Emerging Trends in Indian Politics: the Fifteenth General Election*, Routledge India (New Delhi, 2010) p.145.
67. "Par panel finds fault with implementation of Sachar report," *The Hindustan Times*, New Delhi, 7 August 2011.
68. Seema Chishti, "Sachar panel members doubt govt will, methods," available at <http://www.indianexpress.com/news/sachar-panel-members-doubt-govt-will-methods/828625/>, posted on 8 August 2011, last viewed on 19 August 2011.