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Legal and Constitutional Dimensions of Muslim Reservation in India: A Critical Study of Policy, Precedent, and Socio- Economic Realities

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Abstract

This research paper explores the legal, constitutional, and socio-economic aspects of reservation policies aimed at uplifting the Muslim community in India. While the Indian Constitution permits affirmative action to address historical disadvantages faced by socially and educationally backward classes, the inclusion of Muslims under this framework remains a contested terrain. The paper critically examines the legal basis of such reservations, policy developments at both central and state levels, and judicial pronouncements that shape the discourse. Using a doctrinal method, the study draws upon constitutional provisions, landmark judgments, and governmental reports to evaluate whether reservations for Muslims have effectively contributed to their socio-economic advancement. It argues for more inclusive and empirically grounded framework that transcends religious identity while acknowledging the backwardness of Muslim sub-groups. The research contributes to the broader understanding of social justice, secularism, and the evolving nature of Indian federalism in addressing minority concerns.

1. Introduction

Affirmative action, commonly referred to as reservation in the Indian context, represents a constitutionally sanctioned mechanism aimed at redressing the deep-rooted socio-economic disparities entrenched in the Indian caste and class structure. It serves as a vehicle for achieving substantive equality by facilitating access to education, public employment, and political representation for historically marginalized groups. Rooted in the principles of social justice and equality enshrined in the Constitution of India, the reservation policy initially focused on Scheduled Castes (SCs) and Scheduled Tribes (STs), communities long subjected to untouchability, exclusion, and systemic deprivation.

Recognizing that caste-based hierarchies were not the sole source of social disadvantage, the Indian state later extended the scope of reservations to Other Backward Classes (OBCs), and following the recommendations of the Mandal Commission (1980), which identified social and educational backwardness as qualifying criteria. This inclusion marked a pivotal shift from strictly caste-based to more broadly defined socio-educational backwardness, thereby opening the door to more nuanced understandings of inequality.

Over the past few decades, the status of Indian Muslims—who constitute approximately 14.2% of the population as per the 2011 Census—has emerged as a pressing subject within the discourse on affirmative action. Despite being the second-largest religious group in the country, a significant segment of the Muslim population continues to grapple with challenges such as inadequate access to quality education, poor representation in government services, low participation in the formal economy, and limited political clout. These issues point toward a pattern of systemic exclusion and socio-economic stagnation akin to those experienced by recognized backward communities.

This concern found empirical validation in the *Sachar Committee Report (2006)*, which was commissioned by the Government of India to study the social, economic and educational status of Muslims. The report concluded that Muslims in India are, on many parameters, as deprived as—or in some cases more deprived than—SCs and STs. It emphasized the need for targeted governmental interventions, including inclusion under the reservation policy framework. Similarly, the *Ranganath Misra Commission (2007)*, constituted to examine the issue of reservations for socially and educationally backward classes among the religious and linguistic

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minorities, recommended specific quotas for Muslims and other minorities under the existing OBC category.

Yet, the idea of extending reservations to Muslims has sparked intense debate within legal, political, and academic circles. Critics argue that reservation based on religion contravenes the secular ethos of the Indian Constitution, while proponents assert that backwardness must be judged through socio-economic indicators rather than religious identity per se. This debate is further complicated by the heterogeneity within the Muslim community itself, which comprises various caste-like groups with differing levels of educational and economic attainment.

This paper aims to critically analyse the multifaceted dimensions of reservation for Muslims in India. It explores the constitutional foundations of affirmative action, reviews policy developments at the central and state, and evaluates judicial pronouncements that have shaped the contours of this debate. The objective is to assess whether the current legal and policy frameworks are adequate to address the socio-economic backwardness of Muslims, and to propose reforms that can make affirmative action more inclusive, effective, and constitutionally sound.

2. Constitutional and Legal Framework of Reservation in India.

The concept of reservation in India draws its legitimacy and strength from the Constitution of India, which envisions an egalitarian society, built on the ideals of Justice, Equality and Fraternity. Recognizing the deep historical and structural inequalities prevailing in Indian society, the framers of the Constitution embedded provisions to enable the State to take proactive measures for the upliftment of socially and educationally disadvantaged communities. These constitutional mandates are predominantly articulated through Articles 15(4), 15(5), 16(4), and 340.

Article 15(4)

This clause was introduced by the First Constitutional Amendment Act, 1951 in response to the State of Madras v. Champakam Dorairajan (1951) judgment, where the Supreme Court had ruled that reservation in educational institutions based solely on caste was unconstitutional. To circumvent this judgment and uphold the State's duty to promote social justice, Article 15(4) was inserted. It empowers the State to make special provisions for the advancement of socially and educationally backward classes (SEBCs), and for Scheduled Castes (SCs) and Scheduled Tribes (STs), specifically in the realm of education. Importantly, this provision created a legal pathway for affirmative action without violating the principle of formal equality enshrined under Article 15(1), which prohibits discrimination.

Article 15(5)

Added by the 93rd Constitutional Amendment Act, 2005, Article 15(5) further widened the scope of affirmative action. It authorizes the State to make special provisions for the advancement of SEBCs, SCs, and STs in educational institutions, including private unaided institutions, except minority-run institutions covered under Article 30(1). This amendment was a significant step towards making reservation policies more expansive and inclusive, particularly in the context of liberalization and privatization of education.

Article 16(4)

Article 16 guarantees equality of opportunity in matters of public employment. Clause (4) of this Article permits the State to make reservations in appointments or posts in favour of "any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State." This provision has served as the constitutional bedrock for reservations in public employment. However, the term "backward class" has not been defined in the Constitution, leaving room for legal and policy interpretation based on social and educational indicators, often determined by commissions such as the Mandal Commission and state backward class commissions.

Article 340

This Article empowers the President to appoint a commission to investigate the condition of socially and educationally backward classes and to recommended measures for their improvement. The First Backward Classes Commission, headed by Kaka Kalekar (1953), and the more influential Second Backward Classes Commission chaired by B.P. Mandal (1979), was established under this provision. The Mandal Commission's recommendation to reserve 27% of government jobs and educational seats for OBCs was implemented in 1990, dramatically altering the affirmative action landscape in India.

Inclusion of Muslims within the Constitutional Framework

A critical question that arises is whether Muslims can be accommodated within the backward class framework envisaged by these constitutional provisions. The Constitution does not bar members of any religion from being considered part of a backward class, as long as the backwardness is established on social and educational grounds, not merely on the basis of religion.

In several states Muslim communities or sub-groups such as (*Ansaris, Qureshis, Julahas, Momin weavers*, etc.) have been included in the OBC list based on empirical evidence of their socio-educational backwardness. These inclusions have been upheld by courts when backed by credible data and social indicators.

However, judicial pronouncements—most notably in *Indra Sawhney v. Union of India* (1992)—have clarified that reservation cannot be granted solely on the basis of religion. In that landmark case, the Hon'ble Supreme Court affirmed that Muslims, or any religious group, could be granted reservation only if specific castes or occupational groups among them were demonstrably backward.

Therefore, any move to include Muslims under the affirmative action framework must be:

- **Empirically justified**
- **Religiously Neutral** in form, though it may include members of a religious community.
- **Consistent with the constitutional mandate of secularism** under the Preamble and Articles 14, 15, and Article 16.

In this context, the Constitution provides sufficient legal latitude to recognize backwardness within the Muslim community without violating the secular ethos, provided such inclusion is data-driven and in accordance with established criteria for backwardness.

3. Historical Evolution of Reservation Policies for Muslims

The trajectory of affirmative action for Muslim in India has been shaped largely by the constitutional framework, state-level socio-political dynamics, and judicial interventions. Unlike Schedule Castes and Scheduled Tribes, whose reservations are explicitly recognized by the Constitution, Muslims have had to seek inclusion through the category of Socially and Educationally Backward Classes (SEBCs) or Other Backward Classes (OBCs). Consequently, the journey of Muslim reservation has been region-specific, fragmented, and at times, controversial.

Andhra Pradesh: The 4% Quota and Legal Backlash

One of the most notable efforts to provide reservation to Muslims occurred in Andhra Pradesh, where the state government, in 2004, introduced a 5% reservation for Muslims, later reduced to 4%, under the category of SEBCs in educational institutions and public employment. The decision was based on the recommendations of the Backward Classes Commission, which identified several Muslim groups as socially and educationally backward.

However, this policy became the subject of intense legal scrutiny. In the case of *T. Muralidhar Rao & Ors. v. State of Andhra Pradesh & Others*, (2010), the Andhra Pradesh High Court struck down the Muslim reservation policy, stating that:

- The classification was **primarily religion-based**, violating constitutional secularism.
- The **empirical data** submitted by the government was insufficient and lacked scientific rigor.

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- The policy breached the **50% ceiling** on reservations laid down in *Indra Sawhney v. Union of India (1992)*.

The ruling highlighted the constitutional requirement that reservation must be based on backwardness, not on religious identity per se, and must be supported by concrete evidence through socio-economic surveys.

Kerala: A Model of Sub-Group Inclusion

In contrast to Andhra Pradesh, the state of Kerala followed a more constitutionally tenable path by identifying specific caste-like sub-groups within the Muslim community—such as *Mappilas*, *Ossans*, *Rowthers*, and *Kunjars*—and categorizing them under the OBC list. These classifications were based on recommendations by the Kerala State Backward Classes Commission, which conducted surveys on income, education, and social status.

Kerala's approach was secular in form but inclusive in effect, enabling Muslims to benefit from reservation without violating constitutional norms. The inclusion was seen as a response to the documented marginalization of certain occupational and artisanal groups within the Muslim community.

This model has received judicial and academic support for striking a balance between affirmative action and secularism. It also underscores the importance of data-driven policy formulation and the use of non-religious criteria such as caste, occupation, and educational backwardness.

Tamil Nadu: Broad Categorization and Inclusive Quotas

Tamil Nadu has also historically adopted an inclusive approach by recognizing Muslims under different backward categories:

- *Backward Muslims*
- *Most Backward Muslims*

These groups are included in the state's comprehensive OBC list, which is governed by the Tamil Nadu Backward Classes Commission. The state provides 69% total reservation, exceeding the 50% ceiling set by the Supreme Court. However, Tamil Nadu's quota was protected under the Ninth Schedule of the Constitution, effectively shielding it from judicial review for a long time.

Though the legal status of the Ninth Schedule was limited by the *I.R. Coelho v. State of Tamil Nadu (2007)* judgment, Tamil Nadu has largely maintained its reservation regime, which includes substantial representation for marginalized Muslim communities.

The Tamil Nadu model is often cited as an example of how political will, empirical research, and institutional mechanisms can harmonize to implement inclusive affirmative action, even in the face of constitutional limits.

Challenges and Judicial Scrutiny

Despite these initiatives, the broader policy landscape remains constrained by judicially imposed ceilings and constitutional interpretations:

- In *Indra Sawhney v. Union of India (1992)*, the Supreme Court:
 - Upheld the principle of reservations for OBCs, including non-Hindu groups.
 - Stressed that reservation cannot exceed 50% in total, except in exceptional circumstances.
 - Prohibited reservation solely on religious grounds, emphasizing backwardness as the key criterion.

Subsequent judgments have reiterated that backwardness must be determined through quantitative criteria such as income, literacy levels, and occupation—not through religious identity. This has created a constitutional barrier against blanket Muslim reservation, requiring a micro-classification approach within the Muslim community.

4. Socio-Economic Status of Muslims in India: Empirical Insights

The socio-economic condition of Muslims in India has been a matter of serious concern for policymakers, academics, and civil society organizations alike. Although the community forms the largest religious minority, comprising about 14.2% of the national population (Census

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2011), it continues to experience significant disparities in education, employment, income, and access to public services. Two major government reports—the Sachar Committee Report (2006) and the Ranganath Misra Commission Report (2007)—have played a crucial role in documenting and analyzing the extent of Muslim marginalization in independent India.

Sachar Committee Report (2006): A Wake-Up Call

Commissioned by the Prime Minister's Office, the High-Level Committee for the Social, Economic and Educational Status of the Muslim Community of India, popularly known as the Sachar Committee, was chaired by Justice Rajinder Sachar. Its objective was to gather credible data on the condition of Muslims and recommend measures for their inclusion.

Key findings from the report included:

- **Employment:** Muslims were highly underrepresented in government services. Their share was just 4.9% in government jobs, much lower than their population proportion. Representation was even lower in prestigious services like the IAS (3%), IFS (1.8%), and IPS (4%).
- **Education:** The educational attainment of Muslims was comparatively low. The percentage of Muslim children completing primary education and progressing to higher levels was significantly below the national average. Drop-out rates, especially among Muslim girls, were high.
- **Banking and Finance:** Muslim participation in formal financial systems was dismal. Only 12% of Muslim households had access to bank credit, far less than other communities. The community faced discrimination in housing loans and was often subject to biased risk assessments by financial institutions.
- **Urban Deprivation:** In urban centers, Muslims were often segregated into informal settlements or ghettos lacking proper sanitation, healthcare, and schooling infrastructure. This urban marginalization contributed to their economic insecurity and political invisibility.
- **Security and Stereotyping:** The Committee also noted a growing sense of insecurity among Muslims, particularly post-communal riots and terror-related incidents, which often led to the community being unfairly targeted and stereotyped.

These findings positioned Muslims as a development-deficit community, suffering levels of deprivation that, in some parameters, were worse than Scheduled Castes and Scheduled Tribes.

Ranganath Misra Commission Report (2007): Recommendations for Reservation

The National Commission for Religious and Linguistic Minorities (NCRLM), headed by Justice Ranganath Misra, was constituted to recommend measures for the welfare of socially and economically backward sections among religious and linguistic minorities.

Key recommendations included:

- 10% reservation for Muslims in jobs and educational institutions under the SEBC category, to be drawn from the existing OBC quota or carved out as a separate minority quota.
- 8% reservation for other religious minorities (like Christians, Sikhs, Buddhists, and Jains).
- Sub-categorization within the OBC category to ensure fair representation of Muslim backward groups who were otherwise left out due to dominant Hindu OBC castes monopolizing the benefits.
- Inclusion of Muslim Dalits (e.g., *Halalkhors*, *Abdal*, *Mehtar*) in the SC list by amending the Presidential Order of 1950, which restricts SC status to Hindu, Sikh, and Buddhist Dalits.

The Commission emphasized that these measures were consistent with constitutional principles and did not breach the secular character of the State, as long as backwardness was determined not by religion but by socio-economic indicators.

Implementation Gaps and Resistance

Despite the empirical strength of both reports, implementation of their recommendations has been sluggish or outright resisted, due to various legal, political, and ideological challenges:



- **Constitutional Secularism:** Critics argue that granting reservations specifically to Muslims may violate the secular ethos of the Indian Constitution. Article 15 prohibits discrimination on the grounds of religion, and reservations based purely on religion could face constitutional hurdles.
- **Judicial Restrictions:** Supreme Court rulings, particularly in *Indra Sawhney v. Union of India* (1992), prohibit reservation based solely on religious identity. The courts have maintained that social and educational backwardness must be empirically demonstrated.
- **Political Will:** There has been lack of sustained political consensus at the central level to pursue minority reservation aggressively. Although some states like Kerala, Tamil Nadu, and Karnataka have implemented recommendations partially by recognizing Muslim sub-groups under the OBC category, the Centre has been cautious due to fear of judicial intervention or political backlash.
- **Institutional Inertia:** The absence of dedicated minority welfare cells in many states, poor funding for schemes targeted at Muslim youth, and lack of monitoring mechanisms have also contributed to policy stagnation.

5. Judicial Responses and Precedents

The judiciary has consistently emphasized the need for data-backed classification:

- *Indra Sawhney v. Union of India* (1992): Upheld the principle of reservation for OBCs, including non-Hindu backward classes, but prohibited reservation solely on the basis of religion.
- *T. Muralidhar Rao v. State of Andhra Pradesh* (2010): Held that the inclusion of Muslims under OBC must be based on empirical studies and not religious identity alone.
- *Ashok Kumar Thakur v. Union of India* (2008): Emphasized the “creamy layer” concept for OBCs and supported a data-driven approach to backwardness.

The courts have, therefore, reinforced the requirement of objective criteria rather than political expediency in identifying beneficiaries of reservation. Ended...

6. Policy Challenges and Political Dynamics

The implementation of affirmative action for Muslims in India presents a unique set of challenges that are deeply embedded in the country’s constitutional ethos, federal structure, and political culture. While the socio-economic backwardness of many Muslim groups is well-documented, translating this evidence into tangible reservation policies has remained fraught with legal, administrative, and political complexities.

Secularism vs Affirmative Action

One of the most contentious issues in providing reservation to Muslims is the perceived conflict between secularism and religion-based affirmative action. The Indian Constitution proclaims the country as a secular republic, and Articles 15 and 16 prohibit the State from discriminating on grounds of religion. This has led to a widespread belief—both in public discourse and legal interpretation—that any policy explicitly identifying Muslims for reservation may amount to communal favoritism or violation of secular principles.

However, this perception oversimplifies the constitutional and jurisprudential position. The Supreme Court in *Indra Sawhney v. Union of India* (1992) clarified that religion per se cannot be a ground for reservation, but backward classes within any religious group can be eligible if they fulfill the criteria of social and educational disadvantage. Therefore, while blanket reservations for all Muslims are impermissible, the inclusion of specific backward sub-groups within the Muslim community is both constitutional and legally justified, as long as it is based on empirical data.

This nuanced interpretation suggests that secularism does not bar affirmative action, but demands that it be framed in neutral, non-religious terms. The real challenge lies in designing policies that are constitutionally defensible yet responsive to the actual conditions of Muslim communities.

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Federal Discrepancies

India's quasi-federal structure allows individual states considerable autonomy in designing and implementing reservation policies. As a result, there is a wide variation in how states treat Muslim communities in the context of affirmative action.

- States like Kerala, Tamil Nadu, and Karnataka have included several Muslim castes and sub-castes in their respective OBC lists, thereby enabling them to access the benefits of reservation.
- These inclusions are based on recommendations from state backward class commissions, which rely on socio-economic surveys and field studies, and are thus in line with constitutional norms.
- In contrast, the Central OBC list maintained by the National Commission for Backward Classes (NCBC) has been more conservative in its approach to including Muslim groups, often due to the risk of legal challenges and political controversies.

This federal asymmetry results in disparities in access to opportunities across states. A Muslim group recognized as OBC in one state may not enjoy the same status at the national level, leading to inequitable benefits and policy fragmentation.

Moreover, the lack of coordination between state and central policies undermines the effectiveness of affirmative action. There is an urgent need to establish a uniform, data-backed national framework for evaluating backwardness that is sensitive to regional and community-specific diversities.

Political Will and Vote Bank Politics

Another critical dimension of the debate is the politicization of Muslim reservation, which often reduces the issue to vote bank politics rather than a genuine commitment to social justice.

- Political parties frequently raise the issue of Muslim reservation during election campaigns to woo minority voters but fail to follow through with implementation once in power.
- Initiatives like the 4% Muslim quota in Andhra Pradesh were introduced without adequate groundwork, rendering them vulnerable to judicial invalidation and reinforcing public cynicism.
- At the same time, the fear of alienating majority voters leads many mainstream parties to adopt a cautious or ambiguous stance, especially at the national level, despite strong empirical data supporting Muslim inclusion in backward class policies.

This opportunistic approach dilutes the credibility of reservation as a tool of empowerment and diverts attention from structural reforms and institution-building that could provide more sustainable solutions.

Furthermore, the lack of bipartisan consensus on minority welfare often leads to policy reversals, administrative delays, and underfunding of schemes targeted at Muslim communities. The debate on Muslim reservation thus becomes a polarized battleground, caught between identity politics and constitutional morality.

7. Comparative Jurisprudence: Affirmative Action and Minorities

Affirmative action is not a uniquely Indian concept. Many nations across the globe have adopted forms of preferential treatment to address systemic discrimination and historical injustices. The design and implementation of such policies vary depending on the social context, constitutional frameworks, and political objectives of each country. Studying comparative models of affirmative action—especially from jurisdictions like the United States and Malaysia—offers valuable insights into how India can refine its own approach, particularly regarding the socio-economic upliftment of marginalized Muslim groups.

United States: Race-Conscious but Constitutionally Monitored

In the United States, affirmative action primarily targets racial minorities, especially African-Americans, Hispanics, and Native Americans, who have faced a long legacy of exclusion and systemic racism. Unlike India's reservation system, U.S. affirmative action does not operate

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through fixed quotas (except in rare cases) but involves holistic consideration of race and socio-economic background, particularly in university admissions and employment practices.

Key features include:

- **Holistic Review:** In educational institutions, particularly at the university level, race is considered as one among many factors in the admission process.
- **Strict Judicial Scrutiny:** Affirmative action programs are often challenged under the Equal Protection Clause of the Fourteenth Amendment. The U.S. Supreme Court has ruled that any racial classification must be “narrowly tailored” to serve a “compelling government interest” (e.g., diversity in education).
- **Landmark Cases:**
 - *Regents of the University of California v. Bakke* (1978): Struck down racial quotas but upheld the principle of using race as a factor.
 - *Grutter v. Bollinger* (2003): Upheld the University of Michigan Law School’s policy of considering race in admissions.
 - *Students for Fair Admissions v. Harvard* (2023): The Supreme Court invalidated race-conscious admissions policies in Harvard and UNC, signaling a shift towards **race-neutral** alternatives.

Implications for India: While the U.S. operates under a different constitutional ethos that prioritizes individual rights over group entitlements, its experience shows that affirmative action can be effective when tied to measurable disadvantage and implemented within a legally permissible framework. This model reinforces India’s need to anchor reservation not in religion, but in socio-economic and educational indicators, subject to judicial oversight.

Malaysia: The Bumiputra Policy – Ethnicity as the Basis

Malaysia provides another instructive model through its Bumiputra (sons of the soil) policy, which grants preferential treatment to the Malay Muslim majority and other indigenous groups over the economically dominant ethnic Chinese and Indian minorities.

Key features:

- Introduced under the New Economic Policy (NEP) in 1971, following ethnic riots.
- Targets economic rebalancing rather than social justice.
- Benefits include:
 - Reserved quotas in public universities and civil services
 - Ownership rights in businesses and real estate
 - Preferential access to credit and contracts

While the policy helped create a Malay middle class, critics argue it:

- Entrenched ethnic divisions
- Disincentivized meritocracy
- Neglected other disadvantaged groups, including poor ethnic Chinese and Indians

Implications for India: The Malaysian experience highlights both the strengths and pitfalls of group-based affirmative action. While India’s constitutional framework disallows religion-specific reservation, Malaysia’s policy underlines the importance of ensuring that affirmative action does not perpetuate privilege or ignore intra-group inequalities. For India, this reinforces the argument for sub-categorization within OBCs and the importance of periodic revision based on empirical data.

South Africa: Affirmative Action under Equality and Redress

South Africa’s Employment Equity Act (1998) and Broad-Based Black Economic Empowerment (BBBEE) policies seek to address the historical injustices of apartheid. The focus is on promoting the representation of Black South Africans, Coloureds, and Indians in employment, education, and business ownership.

Key highlights:

- Tied to economic redistribution, not merely representation
- Monitored by state agencies and linked to corporate compliance

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- Viewed as a nation-building strategy in a deeply divided society

Implications for India: South Africa's model demonstrates that affirmative action can be integrated into a comprehensive strategy of empowerment, encompassing not just representation but also resource distribution, financial inclusion, and capacity building. India can adapt this by designing minority welfare programs that go beyond reservation, such as interest-free loans, entrepreneurship training, and educational fellowships for backward Muslim groups.

Toward an Indian Model: The Need for a Nuanced Framework

Drawing from these comparative experiences, it becomes evident that affirmative action is most effective when it is inclusive, data-driven, and periodically reviewed. India, with its complex socio-religious fabric, must adopt a model that:

1. Avoids Religion as the Sole Criterion: Align with constitutional mandates by focusing on socio-economic and educational backwardness, irrespective of religious affiliation.
2. Ensures Intra-Group Justice: Identify the most marginalized sub-groups within larger communities e.g., *Pasmanda Muslims* to avoid elite capture.
3. Institutionalizes Periodic Review: Establish mechanisms for continuous data collection and impact assessment, similar to the U.S. and South Africa.
4. Integrates Multi-Dimensional Indicators: Include housing conditions, access to healthcare, literacy, occupation, land ownership, etc., in defining backwardness.

8. The Way Forward: Recommendations

1. Empirical Identification of Backwardness: Implementing mechanisms for regular social audits to identify backward classes among Muslims.
2. De-Religionizing Reservation: Continue using caste, occupation, and economic indicators rather than religious identity as the basis for affirmative action.
3. Judicial Monitoring: Ensure that any inclusion of Muslim sub-groups under OBCs follows judicially approved norms and is subject to review.
4. Educational Empowerment: Prioritize scholarships, skill training, and institutional support for Muslim students to address long-term inequalities.
5. Inclusiveness in Policy Formulation: Consultative processes involving civil society, minority bodies, and academic experts to frame effective reservation policies.

9. Conclusion

The question of reservation for Muslims in India transcends legal debate, it strikes at the core of India's commitment to social justice and secularism. While religion-based reservation is constitutionally impermissible, Socio-Economic Backwardness among Muslim sub-groups deserves attention. A secular, empirical, and inclusive approach to affirmative action is imperative for genuine empowerment. The challenge lies in crafting policies that balance constitutional values, judicial constraints, and social realities—without succumbing to populism or polarization.

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