

Telangana's Muslim Reservation Bill

Why in news?

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The recent bill passed by the TRS government in Telangana that increased the quota for OBC (Pasmada) Muslims and STs needs critical evaluation.

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What is the background of the issue?

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- Indian Muslims are differentiated into various caste groups.

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- Historically, **the high caste Ashrafs**, once the ruling class, conceived Muslims as a “nation” and mobilised for self-determination through the Muslim League.

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- The 1946 elections, dubbed as the consensus on Pakistan, in which the Muslim League won handsomely, was marked by a restricted electorate and nearly 85% of the population was excluded.

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- Mostly, propertied and educated Muslims, the high caste ashraf, voted for Pakistan, the vote of subordinated Muslim caste groups wasn't even put to test.

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- In fact, lower caste Muslim organisations like the **Momin Conference** were actively contesting the two-nation theory.

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- It is due to the tragedy of the Partition that Muslims lost reservations in independent India that they enjoyed pre-1947.

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- Experience of being a ruling class and the fact of being higher caste and adequate representation in public employment made ashrafs not to qualify as a socially backward class entitled to reservations under **articles 16 (4) and 15 (4) of the Constitution**.

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- This position is affirmed by the Mandal (Indra Sawney) judgment (1992) and

also by various government reports including the Sachar Committee Report (2006).

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- But ideologues of the **Pasmanda movement** — a social movement of backward, Dalit and Adivasi Muslims consistently challenged reservations for Muslims and preferred that similarly placed lower caste groups across religious communities be clubbed together.

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- For instance, in Bihar, the OBC list is subdivided into Annexure I (Most Backward Classes) and Annexure II (Backward Classes) with most subordinated caste Muslims recognised in the MBC category with other Hindu castes.

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- The Bihar formula works well, without triggering communal polarisation.

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Why Telangana bill is a cause for concern?

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- In Telangana, while OBC-A and OBC-B included Muslim scavengers (mehtars) and cotton carders (dudekula) with other Hindu backward castes, **the OBC-E exclusively recognised 14 Muslim caste groups.**

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- In OBC-E, except for the ambiguity of sheikhs, most forward ashraf castes were appropriately excluded.

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- What the recent bill has done is to increase the OBC-E quota from 4% to 12% and the ST quota from 6% to 10%, thereby taking **the quantum of reservations in the state to 62%.**

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- The revised quota will be struck down since it exceeds the Supreme Court ceiling of 50% for reservations.

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- **The bill can also not be placed within the Ninth Schedule** of the Constitution due to an unfavourable government at the Centre.

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- Also, the OBC-E group includes around a 6% Muslim population segment.

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- In that case the existing 4% quota for OBC-E was reasonable.

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- Many experts fear that the bill will again feed into the hegemonic secular-communal or majority-minority duopolies.

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- This situation could have been avoided had the Andhra Pradesh government followed the Bihar formula in 2004, when it first introduced the OBC-E category exclusively for Muslim caste groups.

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Source: The Indian Express

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