

# Chapter 8

## The Rajya Sabha as a Corrective Mechanism for Muslim Underrepresentation?



Adnan Farooqui and E. Sridharan

**Abstract** This paper looks at how multiethnic countries accommodate diversity. This is especially pertinent when the minority ethnic group might remain underrepresented due to the absence of any compensatory mechanisms. This paper looks exclusively at the representation of the Indian Muslims in both the Lok Sabha and the Rajya Sabha. The focus here is on the Muslim representation in the Rajya Sabha in relation to the Lok Sabha, and whether the Rajya Sabha offers a corrective mechanism to the underrepresentation of the Muslims in the Lok Sabha.

**Keywords** Representation · Underrepresentation · Muslims · Lok Sabha · Rajya Sabha · India

### 8.1 Introduction

What has been the status of Muslim representation in India's electoral system since Independence and what are its dynamics? How does the electoral system help or hinder minority representation in general and Muslim representation in particular? How does it interact with prevailing communal prejudices? This paper attempts an answer to the question of representation at the national level, that is, in the Lok

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A. Farooqui (✉)  
Department of Political Science, Jamia Millia Islamia, New Delhi, India

E. Sridharan  
University of Pennsylvania Institute for the Advanced Study of India, New Delhi, India  
e-mail: [e.sridharan@upias.org](mailto:e.sridharan@upias.org)

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Sabha or lower house of parliament, and the Rajya Sabha or upper house of parliament. It does not deal with the question of representation at the state level or in public employment, representation in the private sector and professions and business, or the issue of communal violence. The focus here is: does the Rajya Sabha offer a corrective mechanism or alternative path to the underrepresentation of Muslims in the Lok Sabha?

The Indian electoral system, unlike most electoral systems in long-standing democracies, is of an Anglo-Saxon model, first-past-the-post system, or, more technically, a single member simple plurality (SMSP) system. The properties of this system are that vote aggregation at the single-member constituency (district, in American parlance) level is necessary to win a seat since a plurality is necessary, and therefore an imperative for vote aggregation exists; following from that incentives for building social and political coalitions exist at the constituency level and derivatively at the state and national levels. However, if voting behaviour follows 'ethnic' (that is, racial, ethnic, religious, linguistic, and other identitarian) lines to a significant extent, 'ethnic' groups, that are thinly distributed such that they do not enjoy local majorities at the constituency level, will find it that much more difficult to get elected. The question of electability of minorities depends on the *salience* of the cleavage between minorities and the majority, nationally and at the state and constituency levels, and, in this case, between Muslims and Hindus. The salience of a cleavage can vary considerably across time and space.

However, because of the imperative to aggregate votes, minorities do enjoy a certain degree of bargaining power in a competitive polity because the addition or subtraction of a significant vote fraction can make all the difference to the victory prospects of competing political parties. The latter, therefore, have an incentive to cast their net wide to accommodate all ethnic groups to the extent possible. Therefore, if the politics of presence, that is, having members of one's ethnic group represent one directly, is not easily achieved in such a system for thinly distributed groups, indirect influence by being a significant swing voting bloc under conditions where there is an incentive for bloc voting can get such groups political influence even through legislators *not* of their own group. And in a fragmented polity one would expect such swing groups to command greater bargaining power. To sum up, while the SMSP system has a well-known majoritarian bias and traditionally leads to single party majority governments in which the opposition has little power and small parties and dispersed ethnic groups tend to get underrepresented, it also has offsetting incentives to form broad social and political coalitions at the constituency and, derivatively, state and national levels.<sup>1</sup> Parties, other than ideologically anti-Muslim parties like the Bharatiya Janata Party (BJP) or the Shiv Sena, would therefore have an incentive to accommodate Muslims in various ways even if they are not given a proportionate share of nominations on the grounds of lack of electability due to prevailing prejudices/patterns of 'ethnic' voting.

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<sup>1</sup>Lijphart, *Democracies*.

Coming to the pattern of Muslim demography in India that interacts with this electoral system, India's Muslim population since 1947 has increased from 9.9% as per the 1951 Census, to 14% as per the 2011 Census, both including Jammu and Kashmir. However, what is relevant is the fact that the population is dispersed in such a way that it does not enjoy a local majority at the constituency level in India except for 13 constituencies—3 in the Kashmir Valley, 1 in the Lakshadweep Islands, 4 in West Bengal, 2 in Kerala, and 1 each in Assam and Uttar Pradesh (UP). These constituencies account for only a small fraction of the Muslim population of India, of less than 10%.

Over 90% of the Muslim population is distributed so as to be a minority at the constituency level. Muslims are less than 10% in 299 constituencies, 10–20% in 163 constituencies, 20–30% in 37 constituencies, 30–40% in 20 constituencies, and 40–50% in 11 constituencies.<sup>2</sup>

From this it logically follows that except for small parties limited to pockets, it does not make electoral sense for Indian Muslims to form an ethnic party of their own (apart from the fact that Indian Muslims are highly diverse, especially linguistically). The logical strategy would be to join mainstream secular national or regional parties and strike the best possible deal within such parties or with such parties from the outside through bloc voting, that is, to form social and political coalitions that would vary constituency-wise and state-wise. This is in fact the pattern that we find. There are no Muslim parties except for fringe or pocket borough parties like the All India Majlis-e-Ittehad-ul Muslimeen (AIMIM) in Hyderabad and the All India United Democratic Front (AIUDF) and the two Muslim League factions in Kerala. Muslims join and contest elections on the platforms of the main national and regional parties.

Before coming to the pattern of Muslim representation, let us look at the Indian electoral and party system and its evolution. From 1947 to 1989, the Congress party ruled India in a one-party dominated party system in which the Congress won a majority of seats on the basis of only a plurality of votes in all elections from 1952 to 1984 except for 1977, the highest vote share being 48% in 1984.<sup>3</sup> In 1977, the Janata Party won a victory in reverse, that is, also based on a plurality of votes translating into a majority of seats. Seven of the last eight general elections in India, in 1989, 1991, 1996, 1998, 1999, 2004 and 2009, have resulted in hung parliaments and, as a consequence, minority and/or coalition governments. Since the 1967 elections, gathering strength since 1989, there has been a Duvergerian dynamic of bipolarization of state-level party systems for both parliamentary and state assembly elections in which the pattern of competition has increasingly been that of competition between two main parties, or two coalitions, or a party versus a coalition. There have been three main types of bipolar competition at the state level since 1967,

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<sup>2</sup>Constituency estimates are based on the Lokniti/Centre for the Study of Developing Societies (CSDS) estimates of the Muslim population in parliamentary constituencies as per the 2001 Census.

<sup>3</sup>See Farooqui and Sridharan, 'Can Umbrella Parties Survive?', for an elaboration of the trends noted in this paragraph and the next.

particularly since 1989—Congress versus the BJP, Congress versus left parties, and Congress versus regional parties, with exceptional patterns such as regional versus regional parties in states like Tamil Nadu.

At the national level, that is, at the aggregation of state-level trends, three macro trends are evident since 1989, being only partially reversed in 2004 and 2009: the relative decline of the Congress, the relative rise of the BJP, the relative rise of mostly single-state-based regional parties in a fragmented parliament. With the BJP's attaining a majority on its own in 2014 and due to its victories in subsequent state assembly elections, the pattern of bipolarities has shifted towards one in which the BJP is in power either on its own or in coalition, in as many as 19 out of 29 states as of February 2018, and is one of the two principal poles either on its own or in coalition in another four states. Given that the BJP is a fairly explicitly anti-Muslim party that denies nominations to Muslims but for token exceptions, this pattern of bipolarization of state-level party systems has its implications for Muslim representation. If at the level of a particular state the Hindu–Muslim cleavage becomes salient such that the non-BJP party of coalition fears that Muslim candidates might be unelectable, they might not nominate Muslims, still more so if they feel they could take Muslim votes for granted since they would be the principal anti-BJP force.

## 8.2 Institutional Characteristics of the Lok Sabha and the Rajya Sabha and Patterns of Representation of Muslims

The maiden elections to the national and state assemblies after Independence were held in 1952. The elections heralded the bicameral Indian Parliament. Some commentators have gone to the extent of describing it as the 'basic structure' of the Indian Constitution.<sup>4</sup>

The Lok Sabha comprises of representatives elected from 543 single-member constituencies through an SMSP electoral system. Two members from the Anglo-Indian community are nominated by the president based on the recommendation of the Union Cabinet. For long, the changing composition of the Indian Parliament, especially its lower house—the Lok Sabha—was taken as a barometer of the socio-political dynamics in society.<sup>5</sup>

The Rajya Sabha, on the other hand, is a smaller chamber compared to the Lok Sabha, with a very limited sphere of legislative powers. The members of the Rajya Sabha are elected by the method of indirect election, by means of single transferable vote (STV) through proportional representation by an electoral college comprising elected representatives in the state assemblies. The effective strength of the Rajya Sabha is 245 including the nominated members. On the recommendation of the

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<sup>4</sup>Ramachandran, 'Is the Rajya Sabha Essential?'

<sup>5</sup>Aggarwal, 'The Indian Parliament', p. 78.

Union Cabinet, the president of India nominates 12 members on the grounds of outstanding national service/accomplishments in various fields. It has staggered indirect elections and members once elected serve for 6 years, with one-third of its total strength due for elections every 2 years.<sup>6</sup> This feature makes the Rajya Sabha a permanent house. Under the constitutional scheme of things, the Rajya Sabha's constitutional and legal standing is vastly lower than that of the Lok Sabha. However, the Rajya Sabha can potentially play an important role by initiating discussions on issues of national importance which the party in power may not be willing to initiate and address, and blocking legislation on ordinary, that is, non-money bills.

For a long time, the Rajya Sabha mirrored the party composition in the Lok Sabha. However, over a period of time, the fragmentation of the party system and emergence of distinct political contests at the subnational level led to the consolidation of regional parties, most of which are single-state parties. As the regional parties came to control state governments, party affiliations of both the houses grew more heterogeneous.<sup>7</sup> This culminated in the advent of coalition governments at the centre. The position of the Rajya Sabha too underwent a transformation whereby it was no longer a mirror image of the Lok Sabha, due to the declining dominance of the Indian National Congress (INC) both at national- and state-level elections, but reflective of the changed political configuration at the subnational level.

In the past, the Rajya Sabha has played a sobering role and worked as a vanguard of resistance against governments with brute majorities, such as the Janata government (1977–1979), the two National Democratic Alliance (NDA) governments (1998–2004), and the two United Progressive Alliance (UPA) governments (2004–2014).<sup>8</sup> At the present juncture, even the oversized coalition government of the BJP-led NDA has had to make concessions to the opposition parties due to its inability to muster requisite numbers to carry on with the legislative process without taking into account the views of the opposition parties. This has brought the spotlight on the Rajya Sabha as a crucial bulwark against the steamroller majority of the kind the present alliance has in the lower house, thereby underscoring its salience for Indian democracy.

There existed a wide consensus within the Constituent Assembly for a second legislative chamber to not only initiate policy formulation, but, most importantly, to demand accountability from those in authority, along with the upper house being reflective of India's political diversity as emphasized by its federal provisions.<sup>9</sup>

In this paper, the argument about Rajya Sabha being representative of India's political diversity is taken further by looking at the representation of Muslims in the upper house since 1952. Much of the debate around the issue of persistent Muslim underrepresentation in the political arena has centred on their representation in the Lok Sabha. There exists no systematic account of the community's representation

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<sup>6</sup>Hewitt and Rai, 'Parliament', p. 31.

<sup>7</sup>Aggarwal, 'The Indian Parliament', p. 79.

<sup>8</sup>Rodrigues, 'Revisiting the Rajya Sabha's Role'.

<sup>9</sup>Rodrigues, 'Revisiting the Rajya Sabha's Role'.

in the upper house of the Indian Parliament. The two distinct methods of election to the two houses of the Indian Parliament could perhaps provide a better understanding of the influence institutional designs can exert when it comes to representation of communities which might otherwise remain underrepresented.<sup>10</sup> This is especially the case since the members of the lower house, as explained earlier, are elected directly through the SMSP system, while those of the upper house are elected by the STV variant of the proportional representation system in an indirect election. The SMSP system tends to underrepresent dispersed minorities such as Muslims. Since they are unable to conjure up a plurality of votes on their own in most of the constituencies, underrepresentation is further compounded if the existing political and social dynamics are prone to majoritarian impulses. The political parties are often wary of nominating Muslim candidates, lest they be accused of pandering exclusively to the interests of the minority community, for fear of alienating the majority community and concomitant polarization of the electorate. This is corroborated by significant underrepresentation of Muslim nominees in the past elections from the recognized parties. A large majority of Muslim candidates has invariably contested as independents since Independence, and met with little success.<sup>11</sup> Therefore, in the absence of political reservation, the likelihood of omission of Muslim candidates from the slate of election candidates increases.

In July 1947, the Subcommittee on Minorities in the Constituent Assembly had initially recommended extension of reservation for Muslims under joint electorate. In fact, the Advisory Committee on Fundamental Rights headed by Sardar Patel had accepted the same in August 1947. However, in the aftermath of Partition, the issue of reservation for Muslims was revisited at the behest of two minority members of the committee. The committee eventually decided against extending political reservation for Indian Muslims in independent India because of the fear of political division and separation.<sup>12</sup> The political reservation was only extended to groups such as the formerly depressed classes and tribal communities. The fact that the reservation was extended to these groups was an acknowledgment that the vulnerable communities might find it difficult to win an election on their own without any institutional support such as the reservation of seats in the legislature.

It is against this backdrop that the focus on the Rajya Sabha becomes interesting because similar constraints do not exist when it comes to not only nominating Muslim candidates, but also ensuring their election. The Rajya Sabha has no reservation across any category. This is primarily due to the nature of the electoral process as the candidates are elected through indirect elections. This makes any particular party reasonably confident of winning a certain number of seats with its existing electoral quota. Therefore, a party is in a position to compensate for underrepresentation of a community in its slate in the Lok Sabha elections by ensuring its proportional representation in the Rajya Sabha.

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<sup>10</sup>Jensenius, *Social Justice through Inclusion*.

<sup>11</sup>Ansari, *Political Representation of Muslims in India*.

<sup>12</sup>Chandhoke, *Beyond Secularism*, p. 59.

To analyse the representation of Muslims in the Rajya Sabha, a phase-wise data set of three periods, between 1952 to January 2018, has been prepared. The first phase, 1952–1977, overlaps with the period of the INC’s near-dominance in both the Lok Sabha and a large majority of state assemblies. The second phase, 1978–1989, delves into the time period after the 1977 Lok Sabha election, when the INC, for the first time since Independence, lost the national election and party composition in the Rajya Sabha became different compared to that of the Lok Sabha. The third phase, 1990–2018, is witness to the consolidation of regional parties at the state level, their ability to form governments at the state level, and being part of successive coalition governments at the centre between 1996 and 2014, thereby making the composition of both houses much more heterogeneous. The current BJP-led NDA government is an oversized coalition, with the BJP having a majority of its own in the Lok Sabha. The party is also in power in 19 states including where it is the junior partner as of February 2018, and, therefore, the composition of the Rajya Sabha is likely to become more homogenous in terms of party representation in the near future.

In order to do a comparative analysis of Muslim representation in both houses of parliament, Muslim representation in the 16 Lok Sabha elections has been divided into three phases. The first phase, 1952–1971, is the era of complete INC dominance in the Lok Sabha. The second phase, 1977–1984, coincides with the emergence of viable opposition to the INC in 1977 and its subsequent comeback in 1980 and 1984. The third phase, 1989–2014, is associated with the decline in the INC’s fortunes, further consolidation of regional parties in southern and western India, and rise of state parties in northern India, along with emergence of the Hindu nationalist BJP as an alternative pole in Indian politics.

The first, second, and third phases are inclusive of the Lok Sabha elections held in 1971, 1977, and 1989. This helps delineate the phases according to the changes in the party system and its impact on the Indian polity.

The corresponding phases for the Rajya Sabha are as follows, first phase 1952–1977, second phase 1978–1989, and third phase 1990–2018.

This has been done in order to have parity between the two houses. The three phases coincide with the changed political dynamics since the Rajya Sabha is a permanent house, with one-third members retiring every 2 years followed by elections to fill the vacant seats. The choice of the years 1977 and 1989 is deliberate to highlight the changes in the party system at both national and subnational levels, and its impact on the composition of the Rajya Sabha.

### **8.3 Muslim Representation in the Lok Sabha, 1952–2014**

The average Muslim representation in the Lok Sabha since 1952 has been 6%. It peaked in the 7th Lok Sabha (49 members) when Muslim representation here—at 9%—stood closest to its share in the population at 11% (Table 8.1). In the subsequent parliamentary elections, there has been a secular decline in Muslim represen-

**Table 8.1** Muslim representation in the Lok Sabha, 1952–2014 (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

Year	Total elected members	Muslims elected	Percentage of Muslims in the Lok Sabha	Muslim percentage in population
1952	489	21	4	10
1957	494	24	4	10
1962	520	23	4	11
1967	518	29	5	10
1971	542	30	5	11
1977	529	34	6	11
1980	542	49	9	11
1984	529	46	8	11
1989	534	33	6	11
1991	543	28	5	12
1996	543	28	5	12
1998	543	29	5	12
1999	543	32	5	12
2004	543	36	6	12
2009	543	30	5	13
2014	543	23	4	14
<b>Total</b>	<b>8498</b>	<b>495</b>	<b>6</b>	<b>11</b>

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.2** Muslim representation in the Lok Sabha, 1952–2014 (Phase-wise) (From Ansari, *Political Representation of Muslims in India*, adapted by the authors.)

Phase	Total elected members	Muslims elected	Percentage of Muslims in the Lok Sabha	Muslim percentage in population
1952–1971	2563	127	5	11
1977–1984	1600	129	8	11
1989–2014	4335	239	6	12
<b>Total</b>	<b>8498</b>	<b>495</b>	<b>6</b>	<b>11</b>

*Note:* The figures in the table have been rounded off to the nearest whole number

tation in the Lok Sabha. Muslim representation in the 16th Lok Sabha at 4% is well below the community's share of the population at 14%. Muslim representation in the Lok Sabha in the first phase, 1952–1971, at 5%, was nearly half of its share in the population (Table 8.2). It improves marginally in the second phase, 1977–1984, to 8%. In the third phase, 1989–2014, Muslim representation at 6% is again about half of its average share in the population.

In the first and second phases, a majority of the Muslim representatives belonged to INC, at 71% and 58%, respectively (Tables 8.3 and 8.4). The third phase coincides with the decline in the INC's electoral fortunes, and the emergence of state



**Table 8.3** Muslim representation in the Lok Sabha, 1952–1971 (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

Party	State	Seats	Percentage	Members from Non-Congress Parties			
				Party	State	Seats	Percentage
INC	UP	23	71	Independent	West Bengal	3	7
	West Bengal	12			Tamil Nadu	2	
	Bihar	12			Kerala	1	
	Hyderabad/Andhra Pradesh	11			Haryana	1	
	Bombay/Maharashtra	8			Lakshadweep	1	
	Bhopal/Madhya Pradesh	5			Jammu and Kashmir	1	
	Mysore/Karnataka	5		IUML	Kerala	6	6
	Jammu and Kashmir	4			Madras	1	
	Madras/Tamil Nadu	4		CPI	UP	3	3
	Assam	3			West Bengal	1	
	Lakshadweep	1		CPM	West Bengal	2	2
	Haryana	1			Assam	1	
	Punjab	1		PSP	Assam	2	2
	Gujarat	1			Mysore	1	
<b>Total</b>		91		SWA	Tamil Nadu	1	2
					Karnataka	1	
					UP	1	
				SSP	UP	1	1
				BAC	West Bengal	1	1
				JKNC	Jammu and Kashmir	1	1
				TPS	Andhra Pradesh	1	1
				SOC	Assam	1	1
				CNSPJP	Bihar	1	1
				RPI	UP	1	1
				<b>Total</b>		<b>36</b>	<b>28</b>
				INC		91	
				<b>Grand Total</b>		<b>127</b>	

*Notes:* The figures in the table have been rounded off to the nearest whole number. *IUML* Indian Union Muslim League, *CPI* Communist Party of India, *CPM* Communist Party of India (Marxist), *PSP* Praja Socialist Party, *SWA* Swatantra Party, *SSP* Samyukta Socialist Party, *BAC* Bangla Congress, *JKNC* Jammu & Kashmir National Conference, *TPS* Telangana Praja Samithi, *SOC* Socialist Party, *CNSPJP* Janata, *RPI* Republican Party of India, *INC* Indian National Congress

**Table 8.4** Muslim Representation in the Lok Sabha, 1977–1984 (Party-wise) (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

Party	State	Seats	Percentage	Members from Non-Congress Parties			
				Party	State	Seats	Percentage
INC	UP	24	58	BLD	UP	8	12
	Bihar	10			West Bengal	3	
	Karnataka	7			Bihar	2	
	Kerala	6			Madhya Pradesh	1	
	West Bengal	4			Delhi	1	
	Madhya Pradesh	4		JP	UP	8	7
	Maharashtra	4			Bihar	1	
	Assam	4		CPM	West Bengal	9	7
	Andhra Pradesh	3		JKNC	Jammu and Kashmir	8	6
	Lakshadweep	2		IUML	Kerala	6	5
	Jammu and Kashmir	2		AGP	Assam	2	2
	Gujarat	2		LKD	UP	1	2
	Haryana	1			Haryana	1	
	Tamil Nadu	1		Independent	Andhra Pradesh	1	1
	Rajasthan	1			Tamil Nadu	1	1
<b>Total</b>		75		INC (U)	Lakshadweep	1	1
				<b>Total</b>		<b>54</b>	<b>42</b>
				INC		75	
				<b>Grand Total</b>		<b>129</b>	

*Notes:* The figures in the table have been rounded off to the nearest whole number. *BLD* Bharatiya Lok Dal, *AGP* Asom Gana Parishad, *LKD* Lok Dal, *INC (U)* Indian National Congress (U)

and regional parties, as well as the Janata Dal (JD) and its offshoots, as serious claimants of Muslim votes. The non-INC parties represented 67% of the elected Muslim representatives in the Lok Sabha (Table 8.4). A large number of representatives have also come from the Communist Party of India (Marxist) (CPM) (Table 8.5).

A large majority of the Muslim representatives, 69% of the total 495 MPs, since 1952 have come from UP, West Bengal, Bihar, Jammu and Kashmir, and Kerala (Table 8.6). Muslim representation from these five states across three phases was 58%, 71%, and 74%, respectively (Tables 8.7, 8.8, and 8.9). In the first two phases, the majority of the Muslim candidates belonged to the INC in the above-mentioned states, with the exception of Kerala. With the gradual decline of the INC, this space was filled by the Samajwadi Party (SP) and the Bahujan Samaj Party (BSP) in UP, and the JD and its offshoots in Bihar and elsewhere. In Kerala, it is the Indian Union Muslim League (IUML) which has sent the maximum number of members to the Lok Sabha (Table 8.10).

**Table 8.5** Muslim Representation in the Lok Sabha, 1989–2014 (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

Party	State	Seats	Percentage	Members from Non-Congress Parties			
				Party	State	Seats	Percentage
INC	West Bengal	14	33	CPM	West Bengal	25	12
	Assam	9			Kerala	3	
	Karnataka	9		JD	Bihar	11	9
	UP	8			UP	9	
	Bihar	7			Jammu and Kashmir	1	
	Lakshadweep	6			Karnataka	1	
	Tamil Nadu	5		SP	UP	16	7
	Andhra Pradesh	4		BSP	UP	14	6
	Maharashtra	4		JKNC	Jammu and Kashmir	14	6
	Kerala	3		IUML	Kerala	14	6
	Puducherry	3		RJD	Bihar	9	4
	Jammu and Kashmir	3		AITC	West Bengal	9	4
	Madhya Pradesh	1		AIMIM	Andhra Pradesh	8	3
	Rajasthan	1		BJP	Bihar	2	2
Jharkhand	1	Madhya Pradesh	1				
		UP	1				
<b>Total</b>		<b>78</b>					
				JKPDP	Jammu and Kashmir	4	2
				AIUDF	Assam	3	1
				Independent	Jammu and Kashmir	2	1
					UP	1	
				DMK	Tamil Nadu	2	1
				NCP	Lakshadweep	1	1
					Bihar	1	
				JD (U)	Bihar	1	1
					Lakshadweep	1	
				TDP	Andhra Pradesh	1	.4
				UMFA	Assam	1	.4
				SAP	Bihar	1	.4
				RLD	UP	1	.4
				MLKSC	Kerala	1	.4
				AIADMK	Tamil Nadu	1	.4
				LJP	Bihar	1	.4
				<b>Total</b>		<b>161</b>	<b>67</b>
				INC		78	
				<b>Grand Total</b>		<b>239</b>	

*Notes:* The figures in the table have been rounded off to the nearest whole number. *SP* Samajwadi Party, *RJD* Rashtriya Janata Dal, *AITC* All Indian Trinamool Congress, *JKPDP* Jammu and Kashmir Peoples Democratic Party, *DMK* Dravida Munnetra Kazhagam, *NCP* Nationalist Congress Party, *JD (U)* Janata Dal (United), *TDP* Telugu Desam Party, *UMFA* United Minorities Front, Assam, *SAP* = Samata Party, *RLD* Rashtriya Lok Dal, *MLKSC* Muslim League Kerala State Committee, *AIADMK* All India Anna Dravida Munnetra Kazhagam, *LJP* Lok Janshakti Party.

**Table 8.6** Distribution of Muslim Members in the Lok Sabha, 1952–2014 (State-wise) (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

State	Seats	Percentage
UP	120	24
West Bengal	83	17
Bihar	59	12
Kerala	40	8
Jammu and Kashmir	40	8
Andhra Pradesh	28	6
Assam	26	5
Mysore/Karnataka	24	5
Tamil Nadu	18	4
Maharashtra	16	3
Lakshadweep	13	3
Madhya Pradesh	12	2
Haryana	4	1
Puducherry	3	1
Gujarat	3	1
Rajasthan	2	.4
Telangana	1	.2
Punjab	1	.2
Jharkhand	1	.2
Delhi	1	.2
<b>Total</b>	<b>495</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

With the electoral fortunes of the BJP in ascendance since 2014, and the poor performance by the traditional claimants for Muslim votes such as the INC, the SP, the CPM, and the BSP, there has been an alarming decline in Muslim representation in the Lok Sabha.

In the current 16th Lok Sabha, there has not been a single Muslim representative from UP, the state which has the largest population of Muslims and has contributed the most number of Muslim representatives in the Lok Sabha in the past elections. The 23 Muslim representatives hail from West Bengal, Bihar, Kerala, Jammu and Kashmir, Telangana, Lakshadweep, and Tamil Nadu (Table 8.11). The maximum numbers of Muslim representatives from a single state—eight—have come from West Bengal, of which four are from the All Indian Trinamool Congress (AITC), and two each from the INC and the CPM. The remaining 6 states and the union territory of Lakshadweep have contributed 15 Muslim representatives in the Lok Sabha. In Assam and Telangana, the Muslim members have been elected on a ticket of two Muslim-led parties—the AIUDF and the AIMIM. The three members elected from the Jammu and Kashmir Peoples Democratic Party (JKPDP) are from the Kashmir Valley. A majority of the Muslims were elected in the 2014 parliamentary elections from the constituencies with a large concentration of Muslims and parties favourably disposed towards the community and the states with marginal communal

**Table 8.7** Distribution of Muslim Members in the Lok Sabha, 1952–1971 (State-wise) (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

State	Seats	Percentage
UP	29	22
West Bengal	19	15
Bihar	13	10
Andhra Pradesh	12	9
Madras/Tamil Nadu	8	6
Maharashtra	8	6
Mysore/Karnataka	7	6
Assam	7	6
Kerala	7	6
Jammu and Kashmir	6	5
Bhopal/Madhya Pradesh	5	4
Lakshadweep	2	2
Haryana	2	2
Punjab	1	1
Gujarat	1	1
<b>Total</b>	<b>127</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

polarization. All the seven candidates nominated by the Hindu nationalist BJP lost. Most importantly, the party did not field a single Muslim candidate from UP. The party and its allies won an impressive 73 of the total 80 Lok Sabha seats from the state.

It is against this backdrop that one has to examine the existing avenues for minority group representation available in a democratic polity. In this case, it is attempted to do so by analysing Muslim representation in the Rajya Sabha since 1952.

#### 8.4 Muslim Representation in the Rajya Sabha, 1952–2018

The average Muslim representation in the Rajya Sabha since 1952 has been 11%, slightly below their average share in the population at 12% (Table 8.12). This is 5% more than their average representation in the Lok Sabha for the same period. The first phase, 1952–1977, had an average Muslim representation of 10% in the upper house, roughly equivalent to their average share in the population of about 11%. In the first phase, 71% of the Muslims in the Rajya Sabha were from the INC. The remaining 29% were from 10 different parties including the nominated members (Table 8.13).

The second phase, 1978–1989, is the period of party system transformation and the changed dynamics of party competition at the state level, whereby the INC increasingly came to be challenged by potentially viable political alternatives, both at national and state levels. The average Muslim representation at 10% is only

**Table 8.8** Distribution of Muslim Members in the Lok Sabha, 1977–1984 (State-wise) (From Ansari, *Political Representation of Muslims in India*, adapted by the authors)

State	Seats	Percentage
UP	41	31
West Bengal	16	12
Bihar	13	10
Kerala	12	9
Jammu and Kashmir	10	8
Karnataka	7	5
Assam	6	5
Madhya Pradesh	5	4
Maharashtra	4	3
Andhra Pradesh	4	3
Lakshadweep	3	2
Gujarat	2	2
Haryana	2	2
Tamil Nadu	2	2
Rajasthan	1	1
Delhi	1	1
<b>Total</b>	<b>129</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.9** Distribution of Muslim Members in the Lok Sabha, 1989–2014 (State-wise) (From Ansari, *Political Representation of Muslims in India*, updated and adapted by the authors)

State	Seats	Percentage
UP	50	21
West Bengal	48	21
Bihar	33	14
Jammu and Kashmir	24	10
Kerala	21	9
Assam	13	5
Andhra Pradesh	13	5
Karnataka	10	4
Lakshadweep	8	3
Tamil Nadu	8	3
Maharashtra	4	2
Puducherry	3	1
Madhya Pradesh	2	1
Rajasthan	1	.4
Jharkhand	1	.4
<b>Total</b>	<b>239</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.10** Muslim representation in the Lok Sabha, 1952–2014 (From Ansari, *Political Representation of Muslims in India*, updated and adapted by the authors)

Party	State	Seats	Percentage	Members from Non-Congress Parties					
				Party	State	Seats	Percentage		
INC	UP	55		CPM	West Bengal	36	8		
	West Bengal	30			Kerala	3			
	Bihar	29			Assam	1			
	Karnataka	21		IUML	Kerala	26	6		
	Andhra Pradesh	18			Tamil Nadu	1			
	Maharashtra	16		JKNC	Jammu and Kashmir	23	5		
	Assam	16			JD	Bihar		11	4
	Madhya Pradesh	10		UP		9			
	Tamil Nadu	10		Jammu and Kashmir		1			
	Jammu and Kashmir	9		Karnataka		1			
	Lakshadweep	9		SP	UP	16	3		
	Kerala	9			BLD	UP		8	
	Puducherry	3		West Bengal		3			
	Gujarat	3		Bihar		2			
	Rajasthan	2		Madhya Pradesh		1			
	Haryana	2		Delhi		1	3		
	Punjab	1		BSP	UP	14	3		
Jharkhand	1	Independent	West Bengal		3	3			
<b>Total</b>			<b>244</b>	<b>49</b>	Tamil Nadu		3		
					Jammu and Kashmir		3		
					Andhra Pradesh		1		
					UP		1		
					Haryana		1		
					Lakshadweep		1		
					Kerala		1		
					JNP		UP	8	2
							Bihar	1	
				AITC	West Bengal	9	2		
				RJD	Bihar	9	2		
				AIMIM	Andhra Pradesh	7	2		
					Telangana	1			
				PDP	Jammu and Kashmir	4	1		
				BJP	Bihar	2	1		
					UP	1			
					Madhya Pradesh	1			

(continued)

**Table 8.10** (continued)

				Members from Non-Congress Parties			
Party	State	Seats	Percentage	Party	State	Seats	Percentage
				CPI	UP	3	1
					West Bengal	1	
				PSP	Assam	2	1
					Mysore	1	
				SWA	Tamil Nadu	1	1
					Karnataka	1	
					UP	1	
				AUDF	Assam	3	1
				NCP	Lakshadweep	1	.4
					Bihar	1	
				AGP	Assam	2	.4
				LKD	UP	1	.4
					Haryana	1	
				DMK	Tamil Nadu	2	.4
				JDU	Bihar	1	.4
					Lakshadweep	1	
				TDP	Andhra Pradesh	1	.2
				UMFA	Assam	1	.2
				SAP	Bihar	1	.2
				RLD	UP	1	.2
				MLKSC	Kerala	1	.2
				SOC	Assam	1	.2
				Janta (CSJ)	Bihar	1	.2
				RPI	UP	1	.2
				SSP	UP	1	.2
				BAC	West Bengal	1	.2
				TPS	Andhra Pradesh	1	.2
				INC U	Lakshadweep	1	.2
				AIADMK	Tamil Nadu	1	.2
				LJP	Bihar	1	.2
				<b>Total</b>		<b>251</b>	<b>51</b>
				INC		244	
				<b>Grand Total</b>		<b>495</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number.

slightly less than the average share of Muslims in the population. Though there is a 9% decline in the INC share of Muslim members compared to the previous phase, the party still sent 61% of the total Muslim candidates in the Rajya Sabha in the second phase (Table 8.13 compared to Table 8.14). The remaining 39% of the Muslim candidates came from six parties, excluding the nominated candidates (Table 8.14). The third phase, 1990–2018, corresponds with the gradual



**Table 8.11** Muslim Representation in the 16th Lok Sabha (Statistical Report on General Elections, 2014 to the Sixteenth Lok Sabha. Available at [http://eci.nic.in/eci\\_main1/statistical\\_reportge2014.aspx](http://eci.nic.in/eci_main1/statistical_reportge2014.aspx))

State	Party	Seats
West Bengal	AITC	4
	INC	2
	CPM	2
Bihar	INC	1
	LJP	1
	NCP	1
	RJD	1
Jammu and Kashmir	JKPDP	3
Assam	AUDF	2
Telangana	AIMIM	1
Lakshwadweep	NCP	1
Tamil Nadu	AIADMK	1
<b>Total</b>	<b>23</b>	
<b>Total Seats in Lok Sabha</b>	<b>545</b>	
<b>Percentage of Muslims</b>	<b>4</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.12** Muslim Representation in the Rajya Sabha Only for Elected Members, 1952–2018 (Phase-wise) (See <http://rajyasabha.nic.in/>)

Phase	Total Elected Members	Muslims Elected	Percentage of Muslims in the Rajya Sabha	Muslim Percentage in Population
1952–1977	1381	137	10	11
1978–1989	451	40	9	11
1990–2018	869	112	13	13
<b>Total</b>	<b>2701</b>	<b>289</b>	<b>11</b>	<b>12</b>

*Note:* The figures in the table have been rounded off to the nearest whole number

marginalization of the INC at the state level and the emergence of regional parties, state parties, and the Hindu nationalist BJP as viable political alternatives to the once-hegemonic INC. In this phase, a majority of the Muslim representatives in the Rajya Sabha belonged to the 18 non-Congress parties including the BJP. The electoral decline of the INC in UP and Bihar severely dented the party's ability to send Muslim members to the Rajya Sabha from these two states. In the past, these two states had dominated the INC list of Muslim members in the Rajya Sabha. In this phase, not a single Muslim member in the Rajya Sabha came from the INC, nor from these two states. However, this did not adversely affect Muslim representation in the Rajya Sabha because the SP in UP and the JD and its offshoots in Bihar and Karnataka were able to fill the gap. The average Muslim representation in this phase at 13% was equal to their share in population (Tables 8.12 and 8.15).

**Table 8.13** Muslim Representation in the Rajya Sabha, 1952–1977 (Party-wise) (See <http://rajyasabha.nic.in/>)

Party	State	Seats	Percentage	Members from Non-Congress Parties and Nominated Members			
				Party	State	Seats	Percentage
INC	UP	21	71	Others	UP	4	7
	Bihar	14			Jammu and Kashmir	2	
	Hyderabad/ Andhra Pradesh	9			Odisha	1	
	Rajasthan	8			Punjab	1	
	Jammu and Kashmir	7			Kerala	1	
	Madras/Tamil Nadu	7			Manipur	1	
	West Bengal	7		Nominated		9	6
	Assam	5		JKNC	Jammu and Kashmir	6	4
	Madhya Pradesh	5		IUML	Kerala	1	3
	Gujarat	5			Tamil Nadu	3	
	Mysore/ Karnataka	5		Independent	Kerala	2	3
	Bombay/ Maharashtra	3			Delhi	1	
	Delhi	3			Assam	1	
	Travancore/ Kerala	2		CSJP	Andhra Pradesh	1	2
	Tripura	1			UP	1	
	Ajmer/Coorg	1			Jammu and Kashmir	1	
	<b>Total</b>	103			AIADMK	Tamil Nadu	2
			CPI	West Bengal	2	1	
			Congress (O)	Bihar	1	1	
			FB	West Bengal	1	1	
			CPM	West Bengal	1	1	
			<b>Total</b>		<b>43</b>	<b>29</b>	
			INC		103		
			<b>Grand Total</b>		<b>146</b>		

*Notes:* The figures in the table have been rounded off to the nearest whole number. *Congress (O)* Indian National Congress (Organisation), *FB* Forward Bloc

**Table 8.14** Muslim Representation in the Rajya Sabha, 1978–1989 (Party-wise) (See <http://rajyasabha.nic.in/>)

Party	State	Seats	Percentage	Members from Non-Congress Parties and Nominated Members			
				Party	State	Seats	Percentage
INC	UP	9		Nominated		4	9
	Nominated	3		JD	Bihar	2	6
	Bihar	3			Karnataka	1	
	Gujarat	3		JKNC	Jammu and Kashmir	3	6
	Rajasthan	3		O	Jammu and Kashmir	2	6
	Karnataka	2			UP	1	
	Madhya Pradesh	2		TDP	Andhra Pradesh	2	4
	Maharashtra	1		CPM	West Bengal	2	4
	Andhra Pradesh	1		CSJP	Bihar	1	2
	Assam	2		<b>Total</b>		<b>18</b>	<b>38</b>
<b>Total</b>		<b>29</b>	<b>62</b>	INC		29	
				<b>Grand Total</b>		<b>47</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

The analysis is based on the number of Muslims elected to the Rajya Sabha through an indirect election. However, the president nominates 12 members to the Rajya Sabha based on the recommendation of the Union Cabinet. There have been altogether 160 individuals nominated to the Rajya Sabha since 1952. The Muslim share has been 13% since 1952 under the category of nominated members, and is roughly equivalent to their share in the population. In the first two phases, the percentage of Muslims is higher than their population share. It is only in the last phase that the percentage declines to 7% and is nearly half their average population share. The percentage of elected members from the Muslim community is less than their share in the population in the second phase. However, when one takes into account the nominated members from the community for the same period, the percentage rises to 10% (Tables 8.16 and 8.17) and is only marginally less than their population share. The Constitution stipulates that individuals with impeccable credentials from fields other than politics can be nominated to the Rajya Sabha. This requirement was introduced in order to gain from the diversity of viewpoints on any given issue. However, this has not stopped the government of the day from making partisan political appointments. In the second phase, at least three nominated members had an active association with the INC. Their inclusion increased the tally of Muslim members in the house and brought it closer to their population share.

There have been only 18 cases since 1952 where the parties have included Muslim candidates in their slate from the state other than the one to which the candidate belongs. The Congress party did this 15 times in the past and the BJP, twice.

**Table 8.15** Muslim Representation in the Rajya Sabha, 1990–2018 (Party-wise) (See <http://rajyasabha.nic.in/>)

				Members from Non-Congress Parties and Nominated Members				
Party	State	Seats	Percentage	Party	State	Seats	Percentage	
INC	Jammu and Kashmir	9	39	SP	UP	11	10	
	Gujarat	5		BJP	UP	2	6	
	Andhra Pradesh	5			Madhya Pradesh	3		
	Madhya Pradesh	4			Jharkhand	2		
	Karnataka	4		JD (U)	Bihar	6	5	
	Maharashtra	4		Independent	UP	4	4	
	UP	3			West Bengal	1		
	Delhi	3		CPM	West Bengal	5	4	
	Chhattisgarh	2		IUML	Kerala	5	4	
	Rajasthan	2		JD	UP	3	4	
	Assam	2			Jharkhand	1		
	Manipur	1			Karnataka	1		
	Nominated	1						
	<b>Total</b>	<b>45</b>			JKNC	Jammu and Kashmir	4	3
					DMK	Tamil Nadu	3	3
			Nominated		3	3		
			CPI	Kerala	1	3		
				Andhra Pradesh	1			
				Bihar	1			
			RJD	Bihar	2	2		
			BSP	UP	2	2		
			JKPDP	Jammu and Kashmir	2	2		
			AITC	West Bengal	2	2		
			NCP	Maharashtra	1	1		
			LJP	Bihar	1	1		
			TDP	Andhra Pradesh	1	1		
			AIADMK	Tamil Nadu	1	1		
			RLD	UP	1	1		
			TMC (M)	Tamil Nadu	1	1		
			<b>Total</b>		<b>71</b>	<b>61</b>		
			INC		45			
			<b>Grand Total</b>		<b>116</b>			

Notes: The figures in the table have been rounded off to the nearest whole number. *TMC (M)*, Tamil Maanila Congress (Moopnar)

**Table 8.16** Nominated Muslim Members in the Rajya Sabha, 1952–2018 (Phase-wise) (See <http://rajyasabha.nic.in/>)

Phase	Number of Nominated Members	Muslim Members	Average	Average Muslim Population
1952–1977	75	9	12	11
1978–1989	25	7	28	11
1990–2018	60	4	6.67	13

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.17** Muslim Representation in the Rajya Sabha, 1952–2018 (Phase-wise) (See <http://rajyasabha.nic.in/>.)

Phase	Total elected members	Muslims elected	Percentage of Muslims in the Rajya Sabha	Muslim percentage in population
1952–1977	1456	146	10	11
1978–1989	476	47	10	11
1990–2018	929	116	12	13
<b>Total</b>	<b>2861</b>	<b>309</b>	<b>11</b>	<b>12</b>

*Note:* The figures in the table have been rounded off to the nearest whole number

Across the three phases, a large proportion of Muslim representatives has come from UP, Jammu and Kashmir, West Bengal, and Bihar, comprising 49% of their representation in the Rajya Sabha (Table 8.18). In the first phase, the overwhelming INC majority in the state assemblies ensured that Muslims were elected even from states with a small percentage of Muslims such as Manipur and Tripura in the north-east, Odisha in the east, and Rajasthan in the northwest. Since 1952, there has been not a single Muslim representative in the Lok Sabha from these states. However, the four states did manage to send representatives to the Rajya Sabha (Table 8.18). Muslim representation in the upper house from states such as Andhra Pradesh, National Capital Territory (NCT) of Delhi, and Tamil Nadu too was better than the community representation in the Lok Sabha from these states (Tables 8.19, 8.20, and 8.21).

Since the electoral quota is decided on the basis of an electoral college comprising all the elected assembly members of any given party, the parties can ensure the victories of their candidates. Therefore, whether a particular candidate would win or lose is almost entirely in the hands of the party as long as it has the requisite numbers in the state assembly. If a party is serious about adequately representing the group which might otherwise remain underrepresented, and the group in question is also an important constituent of party's voter base, then the Rajya Sabha provides a

**Table 8.18** Distribution of Muslim Representatives in the Rajya Sabha, 1952–2018 (State-wise) (See <http://rajyasabha.nic.in/>)

State	Seats	Percentage
UP	62	21
Jammu and Kashmir	36	12
Bihar	31	10
West Bengal	21	7
Nominated	20	7
Hyderabad/Andhra Pradesh	20	7
Madras/Tamil Nadu	17	6
Madhya Pradesh	14	5
Rajasthan	13	4
Gujarat	13	4
Mysore/Karnataka	13	4
Travancore/Kerala	12	4
Assam	10	3
Independent	10	3
Bombay/Maharashtra	9	3
Delhi	7	2
Jharkhand	3	1
Chhattisgarh	2	1
Manipur	2	1
Tripura	1	.32
Ajmer/Coorg	1	.32
Punjab	1	.32
Odisha	1	.32
<b>Total</b>	<b>309</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

medium through which any shortfall in electoral and political representation can be redressed without alienating the others.

As analysed in Tables 8.2 and 8.12, across the three phases under study, Muslims have been consistently underrepresented in the Lok Sabha since 1952. However, Muslim representation in the Rajya Sabha since 1952 has been closer to their share in the population. The average Muslim representation in the Rajya Sabha at 11% is 5 percentage points more than their representation in the Lok Sabha.

However, there has been a significant decline in Muslim representation in the Rajya Sabha in recent years. As of February 2018, there are altogether 18 Muslim representatives in the Rajya Sabha and none of them belong to the nominated category (Table 8.22). There are five Muslim representatives from INC, three from the SP, two each from the BJP, the JKPDP, and the AITC, and one each from the JD (U), the IUML, the BSP, and the NCP. There are four members from UP, three each from West Bengal and Jammu and Kashmir, two from Maharashtra, and one each from Madhya Pradesh, Jharkhand, Karnataka, Gujarat, Kerala, Bihar, and Andhra Pradesh (Table 8.22). In the past, the BJP has had very few members from the Muslim com-

**Table 8.19** Distribution of Muslims in the Rajya Sabha, 1952–1977 (State-wise) (See <http://rajyasabha.nic.in/>)

State	Seats	Percentage
UP	26	18
Jammu and Kashmir	16	11
Bihar	15	10
Madras/Tamil Nadu	12	8
West Bengal	11	8
Hyderabad/Andhra Pradesh	10	7
Nominated	9	6
Rajasthan	8	5
Assam	6	4
Travancore/Kerala	6	4
Mysore/Karnataka	5	3
Madhya Pradesh	5	3
Gujarat	5	3
Delhi	4	3
Bombay/Maharashtra	3	2
Punjab	1	1
Manipur	1	1
Odisha	1	1
Tripura	1	1
Ajmer/Coorg	1	1
<b>Total</b>	<b>146</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.20** Distribution of Muslims in the Rajya Sabha, 1978–1989 (State-wise) (See <http://rajyasabha.nic.in/>)

State	Seats	Percentage
UP	10	21
Nominated	7	15
Bihar	6	13
Jammu and Kashmir	5	11
Gujarat	3	7
Rajasthan	3	7
Karnataka	3	7
Andhra Pradesh	3	7
Assam	2	4
Madhya Pradesh	2	4
West Bengal	2	4
Maharashtra	1	2
<b>Total</b>	<b>47</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.21** Distribution of Muslims in the Rajya Sabha, 1990–2018 (State-wise) (See <http://rajyasabha.nic.in/>)

State	Seats	Percentage
UP	26	22
Jammu and Kashmir	15	13
Bihar	10	9
West Bengal	8	7
Andhra Pradesh	7	6
Madhya Pradesh	7	6
Kerala	6	5
Maharashtra	5	4
Karnataka	5	4
Gujarat	5	4
Tamil Nadu	5	4
Nominated	4	3
Delhi	3	3
Jharkhand	3	3
Assam	2	2
Chhattisgarh	2	2
Rajasthan	2	2
Manipur	1	1
<b>Total</b>	<b>116</b>	

*Note:* The figures in the table have been rounded off to the nearest whole number

**Table 8.22** Current Muslim Members in the Rajya Sabha (as of February 2018) (See <http://rajyasabha.nic.in/>)

Party	State	Number of Muslim Members
INC	Andhra Pradesh	1
	Maharashtra	1
	Gujarat	1
	Karnataka	1
	Jammu and Kashmir	1
SP	UP	3
BJP	Madhya Pradesh	1
	Jharkhand	1
JKPDP	Jammu and Kashmir	2
AITC	West Bengal	2
BSP	UP	1
NCP	Maharashtra	1
JD (U)	Bihar	1
IUML	Kerala	1
Nominated		0
<b>Total</b>		<b>18</b>
<b>Rajya Sabha Strength (233 elected + 12 nominated)</b>		<b>245</b>
<b>Average (in %)</b>		<b>7</b>

*Note:* The figures in the table have been rounded off to the nearest whole number



munity in its Lok Sabha and Rajya Sabha slate. This is likely to be the case in the near future too unless the party decides to pursue a more inclusive approach vis-à-vis Muslims. In the 2017 assembly elections in UP, the BJP did not field a single Muslim candidate. During the heydays of the Congress party, the maximum number of Muslim representatives in the Rajya Sabha came from UP, and after the party's decline from SP. With both parties performing miserably in the 2017 assembly election, the number of Rajya Sabha representatives belonging to the two parties is likely to fall drastically. This will inevitably impact Muslim representation too. The three members from UP were nominated before the 2017 assembly elections in the state. This is true for other states as well. For instance, the two Muslim representatives from Maharashtra belonging to the NCP and the INC and the lone INC Muslim member from Andhra Pradesh were nominated before the 2014 assembly elections. In the assembly elections, both parties performed miserably compared to BJP, the winning party. It is only in states like Jammu and Kashmir, West Bengal, Karnataka, and Kerala that one can expect nomination of Muslim candidates in the near future if one were to go by the current tally of the Muslim members in the Rajya Sabha (Table 8.23). In the current Rajya Sabha, the percentage of Muslims is 7%, which is well below their share of the population (14% of the population), and only marginally better than the community's representation in the Lok Sabha (4 percentage points). With the ascendance of the BJP, and the party being in power in 19 states, Muslim representation is likely to fall further.

**Table 8.23** Date of retirement of Muslim Members in Rajya Sabha (as of February 2018) (See <http://rajyasabha.nic.in/>)

Party	State	Date of election	Date of retirement
INC	Maharashtra	3/4/2014	2/4/2020
	Karnataka	3/4/2012	2/4/2018
	Andhra Pradesh	10/4/2014	9/4/2020
	Gujarat	19/8/2017	18/8/2023
	Jammu and Kashmir	16/2/2015	15/2/2021
SP	UP	26/11/2014	25/11/2020
	UP	3/4/2012	2/4/2018
	UP	26/11/2014	25/11/2020
BJP	Madhya Pradesh	30/6/2016	29/6/2022
	Jharkhand	8/7/2016	7/7/2022
JKPDP	Jammu and Kashmir	11/2/2015	10/2/2021
	Jammu and Kashmir	16/2/2015	15/2/2021
AITC	West Bengal	3/4/2014	2/4/2020
	West Bengal	3/4/2018	2/4/2020
BSP	UP	3/4/2018	2/4/2024
NCP	Maharashtra	3/4/2014	2/4/2020
JD (U)	Bihar	10/4/2014	9/4/2020
IUML	Kerala	22/4/2015	21/4/2021

## 8.5 Conclusion

The analysis of Muslim representation in the Rajya Sabha and Lok Sabha shows that it is possible to ensure rough proportionality in the legislative arena even under circumstances when remedial provisions such as reservation in the legislature are not available. This is certainly the case when political parties both at national and state levels are willing to compensate for the shortfall in the lower house by selecting candidates from the politically vulnerable minority group to the upper house. The willingness to accommodate the representatives from the minority groups is especially the case when the said minority group is an important voter base for the party. In the case of this study, in the absence of direct election and the use of a proportional electoral system for election to the Rajya Sabha ensures that the parties are in a position to accommodate minority representatives in their slate as the risk of alienating the majority is reduced. However, if the political system veers towards majoritarianism and is dominated by a party or parties whose core support base does not include a particular minority, then the likelihood of the community remaining underrepresented increases. The present underrepresentation of Indian Muslims in both the houses of the Indian Parliament underscores this.

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