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Scheduled Tribes, Reserved Constituencies and Political Reservation in India

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AQ: 1 **Jagannath Ambagudia¹**

Abstract

Scheduled Tribes (STs, indigenous people) are one of the most marginalised communities in the political sphere. Political marginalisation of STs due to historical injustices has compelled the Indian state to explore alternative means to ensure adequate representation for them by adopting a political reservation system. Political reservation has, therefore, become their primary means of political empowerment, wherein it has ensured the redistribution of political resources in favour of the marginalised communities. Against this backdrop, the article explores the location of tribal communities in the colonial political system and the reasons for their disproportionate representation, the nature and dynamics of ST reserved constituency and the effects of political reservation on these communities. Further, the article concludes by suggesting that the political reservation system has brought both hope and despair among the STs.

Keywords

Political exclusion, political inclusion, reserved constituency, political representation, Scheduled Tribes, indigenous people

Introduction

In recent times, studies on the tribal population in India have attracted scholarly attention from academic circles (Pati, 2011; Radhakrishnan, 2016; Shah, 2010; Sundar & Madan, 2016; Xaxa, 2008). However, most of the studies focus on the historical, sociological and anthropological perspectives, paying little heed to the

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political dynamics of the tribal communities. This does not mean that such accounts are overtly polemical, there are exceptions like the contributions of Galanter (1984), McMillan (2005), Xaxa (2005) and so on. Galanter (1984), for instance, conceded that the enactment and practice of political reservation have led to the emergence of political elites among the tribal communities, which otherwise would not have been possible. McMillan (2005), on the other hand, focused on various dynamics of electoral reservations that have had ramifications on the tribal communities in India. Xaxa (2005) traces the sociological understanding of the political dynamics of the tribal society by addressing the incompatible experiences of tribal people in the context of political reservation. Nonetheless, the existing curriculum of Indian politics in different universities, and some of the fundamental readings on Indian politics, such as Jayal and Mehta (2011), have paid little or no attention to tribes in comparison to other social groups.

The article begins by focusing on the tribes' location and their representation in the colonial political system, the paradoxes embedded in the colonial pattern of representation and their implications on the tribal people. It explores the criteria employed for reserving a constituency and describes the journey from a multi-member constituency to a single-member constituency. It also briefly discusses constitutional provisions by narrowing down to political reservation, impact of delimitation of constituencies order, 1976, and changes that occurred because of the enforcement of the delimitation of constituencies order, 2008, at the national and state levels with statistical evidence.

Tribes in the Colonial Political System

The tribal society has a long history of self-governance, own conception of democracy, autonomy and tribal lifeworld. It was structured around communitarian and egalitarian democratic values, thereby facilitating the tribal lifeworld. This was probably one of the most important reasons why the tribal representatives in the Constituent Assembly, such as J. J. M. Nichols Roy and Jaipal Singh, apparently advocated a 'tribalised' form of democracy in post-colonial India. The advent of Britishers in India challenged their autonomy, patterns of governance and notion of democracy by total disregard of their lifeworld. As a result, many tribal communities launched insurrections against the British. The colonial forces, however, followed the confrontational path and suppressed tribal revolts by military means and brought them under a single political regime through coercion, war and conquest. This authoritative integration of the tribals into the mainstream political system not only undermined the tribal practice of democracy but also imposed new political settings that were hitherto alien to them (Wessendorf, 2001, p. 10). Subsequently, the tribal communities became part of the colonial political system.

Due to the exclusionary nature of the colonial political system, Indians persistently demanded popular participation in the decision-making process to ensure that they got adequate representation in the executive councils of the governor-general and the governors along with an expansion of the central and provincial councils (Saksena, 1981, p. xi). Under the Morley-Minto reforms

(1909), the British introduced group representation of various interests as identified by them through nominations/elections. Each measure in the direction of a popular government and representative institutions was accompanied by corresponding reservations to protect the rights and interests of minorities (*ibid.*, pp. xiii–xiv). It is interesting to note that the British treated Sikhs, Anglo-Indians, Indian Christians, the depressed classes and the backward tribes as minorities. The protective frameworks enacted for these minorities included separate representation in legislatures and reserved quotas in public services, among others.

The British introduced the tribes to electoral politics for the first time under the Government of India (GOI) Act, 1935 (Bosu Mullick, 2001, p. 104). While granting provincial autonomy to India in 1935, the British recognised the need for protecting ‘depressed communities’ via reserved seats in assemblies. As a result, the Act reserved a certain amount of seats for different categories of people. Under the Fifth Schedule of the GOI Act, 1935, seats were reserved for Muslims, Christians and Europeans in the provincial legislative councils. While there were no reservations for the Scheduled Castes (SCs) and backward tribes in the provincial legislative councils (Government of India Act, 1935, p. 246), the provincial legislative assemblies had some seats reserved for them. Table 1 shows that 24 out of 1,585 seats were reserved for the backward tribes in the provincial legislative assemblies. Despite their share of 2.45 per cent of the total population by 1931 (Maharatna, 2015, p. 196), only 1.51 per cent of the seats were reserved for the tribes, thereby indicating their disproportionate representation in the decision-making bodies of the colonial political system.

Table 1. Reservation of Seats in Provincial Legislative Assembly

Provinces	Total Seats	General Seats Reserved for Scheduled Castes	Seats for Representatives of Backward Areas and Tribes
Madras	215	30	1
Bombay	175	15	1
Bengal	250	30	—
United Provinces	228	20	—
Punjab	175	8	—
Bihar	152	15	7
Central Provinces and Berar	112	20	1
Assam	108	7	9
North Western Frontier Province	50	—	—
Odisha	60	6	5
Sindh	60	—	—
Total	1,585	151	24

Source: Government of India Act (1935, p. 245).

The colonial pattern of representation led to a paradoxical situation in Indian politics. On the one hand, it appears that seat allotment to the backward tribes was influenced by the concentration of tribal communities in certain pockets, such as the erstwhile provinces of Bihar, Assam and Odisha, where seven, nine and five seats, respectively, were reserved for them under the GOI Act, 1935. On the other hand, the colonial pattern of proportional representation was far from tenable. For instance, the backward tribes of the central provinces and Berar constituted as much as 20 per cent of the population (Ghosh, 1987, p. 2), but only one seat was reserved for them. Similarly, only one seat each in the Madras and Bombay provincial legislative assemblies was allocated for the tribes. In the federal assembly, there was no reservation for backward tribes.¹ Though reservation for minorities accompanied every stage of a decision-making process, this was not the case for the tribes. The British considered the demonstrative capabilities of the tribal communities as the basis for ensuring tribal representation in the decision-making processes (Xaxa, 2005, p. 120). They developed a stereotype approach towards the tribal people, which was attributed to the non-availability of capable tribal people from some areas such as Odisha to represent them (McMillan, 2005, p. 117). In short, the tribal communities were disproportionately represented in the political sphere during the colonial period. Their underrepresentation apparently provided a ground for debating the proportional representation of the indigenous people and indicated the need for reserved constituencies in independent India.

AQ: 2

Tribes in the Post-colonial Political System

During the colonial period, neither the British nor the national leadership recognised tribal politics as a distinct political formation, thereby opening the window for the question of difference in post-colonial India (Kapila, 2013, p. 106). After independence, therefore, the Indian state began to negotiate with tribal communities as a distinct category. The negotiation process emerged on a discourse on what should be the basis of tribal political representation in India. The discourse arose on the theoretical underpinning of representation grounded in who should represent the tribes in post-colonial India. The Constituent Assembly deliberated on these critical questions as a part of the mandate in order to draft the constitution for independent India. In the process, it considered the claims and demands of different competing social groups to protect and promote their interests (Bajpai, 2015; Jha, 2003, 2004; McMillan, 2005; Rao, 1967, 1968; Saksena, 1981). At the end of a long-drawn debate in the Constituent Assembly, it was resolved that only the tribal people would protect and promote the rights and interests of their communities. Thus, it adopted various provisions for group representation in the constitution.

AQ: 3

Demarcating the Reserved Constituency

The nature of group representation in the post-independence period changed with the declaration of certain constituencies as reserved ones. In Indian politics, declaring

reserved constituencies has always been a matter of concern since independence. The parliament, mainly through the Delimitation Commission, demarcates the reserved constituencies. The first decade of democratic practices, however, began with confusion and uncertainty concerning the nature of tribal representation in India because of the practice of double-/multi-member constituency that affected the electoral system between 1952 and 1961 (Ambagudia, 2019, p. 160).

The Delimitation Commission, thus, adopted distinct standards to declare a single- or double-member constituency. A single-member constituency having more than half of the tribal population was declared as an ST-reserved constituency. Nonetheless, the constituency, which had a substantial number of tribal population but less than a majority, was declared as a double-member constituency, with one seat reserved for the tribes. The size of a double-member constituency was twice as large as the single-member constituency. The electoral process followed the block vote or distributive vote system in a double-member constituency, where each voter had two votes but could not cast more than one vote for a single candidate. The double-member constituency, however, did not reflect two independent contests. In a double-member constituency, a candidate securing the highest vote under the first-past-the-post system among the tribal contestants was first declared as the winner. Other tribal candidates were also eligible for general seats, and in fact, many of them were elected from time to time (Weiner & Field, 1975, pp. 87–88). For instance, one and four and three and eleven ST candidates were elected to the Lok Sabha and Vidhan Sabha in the 1952 and 1957 elections, respectively (Prasad, 2001, p. 77).

However, the Election Commission of India saw the overlapping representation of tribal people from the double-member constituency as a threat to the political representation of non-tribal people (McMillan, 2005, p. 195). Hence, the practice of the double-member constituency came to an end with the enactment of the Two-Member Constituencies (Abolition) Act, 1961, which emphasised that India should opt for single-member constituencies due to the size of the double-member constituency and the overlapping representation of the tribals (Jensenius, 2012, p. 378). As a result, India adopted a unique method of defining or drawing the reserved constituency. The drawing of an ST-reserved constituency was relatively more straightforward than the SC-reserved constituency.² The former was determined on the basis of the compact inhabitation of the tribal population in certain tracts.

Formula 1: Entitlement of ST seats in the Lok Sabha =

$$\frac{\text{Total Tribal Population of the Country}}{\text{Total Population of the Country}} \times \text{Total Elected Seats of the Lok Sabha}$$

Formula 2: Entitlement of ST seats for the State =

$$\frac{\text{Total Tribal Population of the State}}{\text{Total Tribal Population of the Country}} \times \text{Total ST Seats of the Lok Sabha}$$

Formula 3: Entitlement of ST seats in the Assembly =

$$\frac{\text{Total Tribal Population of the State}}{\text{Total Population of the State}} \times \text{Total Seats of the Assembly}$$

Formula 4: Entitlement of ST seats for the District =

$$\frac{\text{Total Tribal Population of the District}}{\text{Total Tribal Population of the State}} \times \text{Total ST Seats of the Assembly}$$

As a standard procedure, the Delimitation Commission determines the entitlement of ST seats based on the proportion of tribal population to the total population of the country according to the preceding census against the backdrop of the existing number of constituencies. The number of ST-reserved parliamentary constituencies in India can be determined by following Formula 1. Based on the population strength (2011 Census), 47 parliamentary seats are reserved for STs in India. The 47 seats are to be distributed among the states as per the proportion of ST population of the state to the total ST population of the country (Formula 2). However, on the flip side, this has denied tribal parliamentary constituencies to some of the highest tribal concentrated states in proportion to state population. For instance, Nagaland and Arunachal Pradesh have 89.1 and 64.22 per cent of the tribal population in proportion to state population (2001 Census) but they do not have any ST parliamentary constituency. This perhaps can be explained that though they have the highest concentration of tribal population in their respective states in a competition for ST-reserved assembly seats, they lag behind other states in the competition for reserved parliamentary seats due to lack of a substantial percentage of tribal population in proportion to the total tribal population of the country. For instance, according to the 2001 Census, the tribal people of Nagaland and Arunachal Pradesh constitute only 2.1 and 0.83 per cent of the total tribal population, respectively, but the figures are far lower than other states. However, some of the small Northeastern states are exempted from the application of population criteria pertaining to their seat allocations in the Lok Sabha (McMillan, 2008, p. 77).

Similar formulae have also been adopted to distribute ST seats in state assemblies. The entitlement of assembly seats can be determined by following the principle of proportion of ST population to the total population of the state multiplied by total seats in the legislative assembly (Formula 3). Further, entitlement of ST seats for a district is determined by the principle of proportion of ST population of the district to the total tribal population of the state multiplied by the total ST assembly seats (Formula 4). After determining the entitlement of reserved seats for the state at the parliamentary level and for the district at the assembly level, constituencies having the highest number of tribal population are declared as ST-reserved constituencies.

Table 2. Decadal Growth Rate of Population

Year	ST	SC	Total
1991	24.39	23.01	20.01
2001	23.25	18.40	17.86
2011	21.30	15.70	17.64

Source: Rangacharyulu and Kanth (2017, p. 444).

However, the parliament has frozen the equalisation of constituency population since 1971, which has further been extended up to 2026 under the 84th Constitutional Amendment Act, 2002 and will be effective only after the 2031 Census. Such an initiative has eventually affected the quantum of ST-reserved constituencies in India (Lublin, 2014). Based on the fast-decadal growth rate of the tribal population (Table 2),³ the reapportionment of constituencies between states has eventually denied the highest tribal concentrated states to have some additional ST-reserved constituencies. However, steps have been undertaken to allocate proportionate seats to tribes based on the 2001 Census by readjusting the constituencies within each state under the Delimitation of Constituencies Order 2008 without allocating additional seats to states (Tables 3 and 5).

Constitutional Provisions and Political Reservation

Democratic rights have been extended to tribes by granting equal citizenship status. Nonetheless, the framers of the Indian constitution realised that considering the history of social discrimination and marginalisation, a mere extension of citizenship rights to the indigenous people would not ensure their adequate representation in the political sphere. Hence, institutional mechanisms were developed to ensure their adequate representation in democratic politics. Consequently, the Indian state adopted the 'quota system' for the STs in the form of reserved seats in politics in proportion to their numerical strength to the total population as per the latest preceding census. According to Article 330, seats shall be reserved for the STs in the lower house of the Indian parliament (Lok Sabha). Further, under Article 332 of the Indian constitution, seats are reserved for STs in the legislative assembly of every state. The number of seats reserved shall be based on the principle of proportionality.

The provision of electoral reservation addresses discrimination emerging out of their exclusion from formal political institutions in order to accommodate differences within the political sphere. It not only aims to widen the base of Indian democratic politics by assuring adequate representation of STs, but also enables establishing an inclusive political system. Political reservation is prevalent in India through the prism of a 'joint electoral system', as opposed to Dr B.R. Ambedkar's demand for a 'separate electorate' for marginalised communities.⁴ In the joint electoral system, the contending candidate must belong to the reserved category. The entire electorate, however, participates in the process of electing candidates so qualified. Conforming to the single-policy rule that applies to all states, Articles 330 and 332 of the Indian constitution provide for political reservation for STs in the Lok Sabha and state assemblies, respectively.

The provision of political reservation, however, does not restrict the tribal people from contesting elections from unreserved seats. For instance, 136 tribal candidates contested the 2009 general elections from unreserved constituencies out of which six even emerged victorious (Government of India, 2009). Similarly, six tribal candidates were elected to the Lok Sabha from unreserved constituencies

in the 2014 general election (Government of India, 2014). Electoral reservation, however, has not been extended to the upper house of the parliament (Rajya Sabha) and state assemblies (legislative councils) due to different nature of representation,⁵ and the Rajya Sabha was created for maintaining the centre-state relations rather than accommodating diversities.

Electoral reservation is an ad-hoc arrangement that ensures adequate representation of tribes in formal political institutions. Initially, it was adopted for 10 years with the rationale that the time frame would help in implementing preferential considerations more effectively, thereby making it easier to evaluate the impact after 10 years. However, in reality, the tenure of political reservation has continuously been extended since then. It is worthwhile to mention that the time limit was applied to politics only (Article 334) and was not meant for other spheres of reservation such as government employment and education. This can perhaps be explained that once political reservation ceases to exist, the parliament may amend the constitution easily and strike down the provision of reservation.

Table 3. State-/Union Territory-wise Seats in the Lok Sabha and Their Reservation Status

States and Union Territories	No. of Seats in the House as Constituted in 2004 on the Basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, as Amended from Time to Time			Total	No. of Seats in the House as Subsequently Constituted as Per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	Gen.	SC	ST		Gen.	SC	ST
I. States							
Andhra Pradesh	34	6	2	42	32	7	3
Arunachal Pradesh	2	—	—	2	2	—	—
Assam	11	1	2	14	11	1	2
Bihar	33	7	—	40	34	6	—
Chhattisgarh	5	2	4	11	6	1	4
Goa	2	—	—	2	2	—	—
Gujarat	20	2	4	26	20	2	4
Haryana	8	2	—	10	8	2	—
Himachal Pradesh	3	1	—	4	3	1	—
Jammu & Kashmir	6	—	—	6	6	—	—
Jharkhand	8	1	5	14	8	1	5
Karnataka	24	4	—	28	21	5	2
Kerala	18	2	—	20	18	2	—
Madhya Pradesh	20	4	5	29	19	4	6
Maharashtra	41	3	4	48	39	5	4

(Table 3 Continued)

(Table 3 Continued)

States and Union Territories	No. of Seats in the House as Constituted in 2004 on the Basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, as Amended from Time to Time				No. of Seats in the House as Subsequently Constituted as Per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	Gen.	SC	ST	Total	Gen.	SC	ST
Manipur	1	—	1	2	1	—	1
Meghalaya	2	—	—	2	—	—	2
Mizoram	—	—	1	1	—	—	1
Nagaland	1	—	—	1	1	—	—
Odisha	13	3	5	21	13	3	5
Punjab	10	3	—	13	9	4	—
Rajasthan	18	4	3	25	18	4	3
Sikkim	1	—	—	1	1	—	—
Tamil Nadu	32	7	—	39	32	7	—
Tripura	1	—	1	2	1	—	1
Uttar Pradesh	63	17	—	80	63	17	—
Uttarakhand	4	1	—	5	4	1	—
West Bengal	32	8	2	42	30	10	2
II. Union Territories							
Andaman & Nicobar Island	1	—	—	1	1	—	—
Chandigarh	1	—	—	1	1	—	—
Dadra & Nagar Haveli	—	—	1	1	—	—	1
Daman & Diu	1	—	—	1	1	—	—
Delhi	6	1	—	7	6	1	—
Lakshadweep	—	—	1	1	—	—	1
Pondicherry	1	—	—	1	1	—	—
Total	423	79	41	543	412	84	47

Source: Government of India (2008, pp. 4–5).

Table 3 demonstrates that due to the delimitation of constituencies, the quantum of seats reserved for tribes has increased from 41 to 47 in the Lok Sabha. Andhra Pradesh and Madhya Pradesh have gained one additional tribal constituency each, while Karnataka and Meghalaya have benefitted from two tribal seats each. Table 4 demonstrates an election-wise representation of social categories in Lok Sabha. Further, Table 4 indicates that, during the initial elections, the representation of

the tribal people was relatively higher than their numerical strength. This could be due to the practice of double-member constituencies, whereby many tribal candidates were elected from unreserved seats (Prasad, 2001, p. 77; Weiner & Field, 1975, pp. 87–88).

Table 5 shows that after delimitation, the number of tribal reserved constituencies has increased from 532 to 554 in state assemblies. The tribes in Odisha, Tamil Nadu, Uttarakhand and West Bengal have lost one seat each, while Chhattisgarh has lost five ST-reserved constituencies that have now been converted into general constituencies. On the contrary, thirteen, six, four and three seats have been converted to ST-reserved constituencies in Karnataka, Madhya Pradesh, Andhra Pradesh and Maharashtra, respectively. Gujarat, Kerala and Rajasthan have gained one additional ST-reserved constituency each. The general and SC people have lost one seat each to the tribal people in Bihar. Successive delimitation of constituencies orders have unevenly affected tribal communities at the state level. Although the Constituencies Delimitation Order 2008 increased the aggregate number of tribal representatives in state assemblies, STs have experienced hope and despair at their respective state levels.

Table 4. Social Category-wise Seats in the Lok Sabha and Their Reservation Status

Election	Year	ST	SC	Others*	Total*
1st Lok Sabha	1952–1957	38 (7.12)	90 (16.88)	405 (75.98)	533
2nd Lok Sabha	1957–1962	36 (6.89)	79 (15.13)	407 (77.96)	522
3rd Lok Sabha	1962–1967	34 (6.46)	87 (16.53)	405 (76.99)	526
4th Lok Sabha	1967–1970	38 (6.92)	85 (15.48)	426 (77.59)	549
5th Lok Sabha	1971–1977	41 (7.45)	84 (15.27)	425 (77.27)	550
6th Lok Sabha	1977–1979	43 (7.74)	82 (14.77)	430 (77.47)	555
7th Lok Sabha	1980–1984	43 (7.62)	87 (15.42)	434 (76.95)	564
8th Lok Sabha	1984–1989	42 (7.43)	84 (14.86)	439 (77.69)	565
9th Lok Sabha	1989–1991	40 (7.51)	80 (15.03)	412 (77.44)	532
10th Lok Sabha	1991–1996	44 (7.97)	81 (14.67)	427 (77.35)	552
11th Lok Sabha	1996–1997	42 (7.65)	81 (14.75)	426 (77.59)	549
12th Lok Sabha	1998–1999	42 (7.72)	80 (14.70)	422 (77.57)	544
13th Lok Sabha	1999–2004	42 (7.42)	83 (14.66)	441 (77.91)	566
14th Lok Sabha	2004–2009	42 (7.19)	83 (14.21)	459 (78.59)	584
15th Lok Sabha	2009–2014	48 (8.60)	84 (15.05)	426 (76.34)	558
16th Lok Sabha	2014	46 (8.64)	83 (15.60)	403 (75.75)	532

Source: <http://164.100.47.194/Loksabha/Members/lokprev.aspx>, accessed on 11 September 2018.

Note: *Nominated members are excluded.

Table 5. State/Union Territory-wise Seats in the Assembly and Their Reservation Status

States and Union Territories	No. of Seats in the House as Constituted in 2004 on the Basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, as Amended from Time to Time				No. of Seats in the House as Subsequently Constituted as per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	General	SC	ST	Total	General	SC	ST
I. States							
Andhra Pradesh	240	39	15	294	227	48	19
Arunachal Pradesh	1	—	59	60	1	—	59
Assam	102	8	16	126	102	8	16
Bihar	204	39	—	243	203	38	2
Chhattisgarh	46	10	34	90	51	10	29
Goa	39	1	—	40	39	1	—
Gujarat	143	13	26	182	142	13	27
Haryana	73	17	—	90	73	17	—
Himachal Pradesh	49	16	3	68	48	17	3
Jammu & Kashmir*	80	7	—	87*	—*	—*	—*
Jharkhand	44	9	28	81	44	9	28
Karnataka	189	33	2	224	173	36	15
Kerala	126	13	1	140	124	14	2
Madhya Pradesh	156	33	41	230	148	35	47
Maharashtra	248	18	22	288	234	29	25
Manipur	40	1	19	60	40	1	19
Meghalaya	5	—	55	60	5	—	55
Mizoram	1	—	39	40	1	—	39
Nagaland	1	—	59	60	1	—	59
Odisha	91	22	34	147	90	24	33
Punjab	88	29	—	117	83	34	—
Rajasthan	143	33	24	200	141	34	25
Sikkim**	18	2	12	32**	17**	2**	12**
Tamil Nadu	189	42	3	234	188	44	2
Tripura	33	7	20	60	30	10	20
Uttar Pradesh	314	89	—	403	318	85	—
Uttarakhand	55	12	3	70	55	13	2
West Bengal	218	59	17	294	210	68	16
Total	2,936	552	532	4,020	2,789	590	554

(Table 5 Continued)

(Table 5 Continued)

States and Union Territories	No. of Seats in the House as Constituted in 2004 on the Basis of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, as Amended from Time to Time				No. of Seats in the House as Subsequently Constituted as per the Delimitation of Parliamentary and Assembly Constituencies Order, 2008		
	General	SC	ST	Total	General	SC	ST
II. Union Territories							
Delhi	70	57	13	—	70	13	—
Puducherry	30	25	5	—	25	5	—

Source: Government of India (2008, pp. 6–7).

Notes: *Under the constitution of Jammu and Kashmir, the number of seats in the legislative assembly of that state excluding the 24 seats earmarked for the Pakistan-occupied territory is eighty-seven out of which seven seats have been reserved for the SCs in persuasion of the Jammu and Kashmir Representation of the People Act, 1957.

** Reserved one seat for Sangrias and 12 seats for Bhutia-Lepchas.

Hope and despair of tribal communities have further been aggravated by ineffective performance of tribal political representatives in democratic politics due to various reasons. Despair is also supplemented by the relatively restricted political choices of ST candidates to contest from reserved constituencies located outside their states. In recent times, it has, however, been observed that candidates have been contesting elections in unreserved constituencies located outside their states. This is primarily done in the form of contesting from two parliamentary constituencies under Section 33 of the Representation of People Act, 1951, one is located in their own state and other is outside the state.⁶ The relatively restricted political choice of ST candidates can perhaps be explained on the ground that the ST lists are state-specific lists and STs cannot claim the status outside their states.⁷

Conclusion

The article began with the experiences of tribal communities in the colonial political system and moved to the need for ST-reserved constituencies in independent India and engagement of tribal communities with the state in the political sphere. The democratic practices suggest that India has become politically 'inclusive' by accommodating the tribes under its ambit at least at the theoretical level. The political situation of tribal communities has experienced changes with the enactment of political reservation, which, in turn, has led to the emergence of a tiny section of political elites among tribal communities. The contextualisation of tribal representation in politics, government jobs and education demonstrates

that politics is the only sphere where the tribes have been representing 100 per cent of the prescribed quota. Therefore, political reservation for tribal communities has ensured quantitative representation, without which even that would have been lacking. Their qualitative representation, however, remains highly questionable. Hence, the above analysis suggests that political reservation has brought hope and despair to tribal communities in India. The democratic assertion of marginalised communities in the contemporary period appears to suggest the continuation of political reservation in India.

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Notes

1. In the federal assembly, out of 250 seats, 105 were of general category, 19 of SCs, 6 of Sikhs, 82 of Muslims, 8 each were of Europeans and Indian Christians, 11 were representatives of commerce and industry, 7 of landholders and 10 were representatives of labour (Government of India Act, 1935, p. 220).
2. The SC-reserved constituency was determined on the basis of two criteria: higher concentration of SC population and geographical dispersion of seats. The second criterion was applied due to the relatively less compact nature of SC population, which invoked severe criticism against the Delimitation Commission due to the use of its discretionary power to define the dispersal criteria (McMillan, 2005, 2008, p. 76; Alam, 2015).
3. The decadal growth rate was 24.39, 23.18 and 20.01 per cent in 1991, 23.25, 18.40 and 17.86 per cent in 2001 and 21.30, 15.70 and 17.64 per cent in 2011 among the STs, SCs and total population, respectively (Table 2).
4. The notion of separate electorate was one of the most contentious provisions during the 1930s. The GOI Act, 1909, provided separate electorates to Muslims. The SCs were assured separate electorate under the GOI Acts, 1919 and 1935. Such provisions prompted Ambedkar to demand a separate electorate for dalits, where only dalits would participate to elect their representatives. This was, however, stiffly resisted by Mahatma Gandhi who took to fast unto death. Consequently, Ambedkar reconsidered his demand and the separate electorate was replaced by a joint electorate with a provision for electoral reservation (Galanter, 1984, pp. 18–40).

5. It is pertinent to mention that both the houses of parliament are created for two different purposes. The Lok Sabha (lower house) is created to maintain, protect and promote diversity by representing different social groups in India. The Rajya Sabha (upper house) is, however, created to maintain balance between the centre and states because of the lesser power of states in matters of national importance, thereby maintaining, preserving and promoting the federal character of the Indian state. Accordingly, the electoral processes for both the houses are designed differently corresponding to their contexts of establishment. Consequently, members of parliament (MPs) of the Lok Sabha and the members of legislative assemblies (MLAs) of the Vidhan Sabha are directly elected by the people. The Rajya Sabha, however, consists of representatives of states and union territories and members nominated by the president. Unlike the Vidhan Sabha (legislative assembly), the members of the Vidhan Parishad (legislative council) are elected by the members of municipalities, district boards and other local authorities, graduates of universities, persons engaged in teaching and other educational institutions, MLAs and members nominated by the governor. In short, the representatives of the lower houses are more directly responsible to the people than the upper houses.
6. Sonia Gandhi, Akhilesh Yadav, Mamata Bannerjee, Lalu Prasad Yadav, Narendra Modi, and so on have contested from two constituencies in different elections.
7. The geographical identification of a tribe is justified under Article 341 (1) of the Indian constitution, which states that in order to get the benefits of being a member of an ST in the matter of public employment, the person claiming it should be a member of such a tribe in relation to the particular area or state where he is residing and where he seeks employment.

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