

The Politics of Exclusion: Rethinking Democratic Inclusivity in India's Marginalized Spaces

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Abstract:

In India, the participation of marginalized groups in political scope is a crucial as well as vital indicator of democratic inclusivity which ensures social fairness in the country. This study deeply explores the ambit of entrenched hierarchies and the structural social inequalities with the help of theories. The paper draws its content from theories of political participation, social exclusion, & marginality. In context marginalized groups, these include groups like scheduled caste, scheduled tribes and other backward classes, women too but these are granted explicit constitutional protections and affirmative actions. Whereas forms of structural & cultural marginality hinder the access of communities of marginalized groups that are overlooked such as people with disabilities, religious minorities & LGBTQIA + community to decision making arena. This paper focuses on social segments that are underrepresented and often remain without equivalent targeted political rights & representation frameworks. The concept of marginality described in Robert Park's viewpoint is described as the peripheral & sociopolitical status of people lied between inclusion and exclusion; which therefore are consistently denied participation in mainstream institution. Within the framework of social exclusion theory emphasizes on a closed political structure that shows how institutional mechanism, discriminatory norms and equal access to resources promotes the infamous "deprivation". The reality of tokenism, elite bias and exploitive guarantor-client interactions therefore weakens the substantive benefits of constitutional safeguards under articles 14,15,16 and 46 of equality and articles 330-334 and 243D of political representation. The principle of participatory democracy directly refers to democracy. The empowerment of democracy can only be achieved by translating the ability to empower deliberately and determine agendas for these neglected communities as well, it cannot be achieved by descriptive representation. Empowerment within the state is hampered by the ingoing legacy of cased based social inequality, political intimidation and lack of political participation for these specific groups comprising of people with disabilities, religious minorities & LGBTQIA + community. This study therefore contends that rearranging entrenched hierarchies, improving civic capabilities, and creating a supportive socio- cultural environment in important to encourage substantive participation. The paper describes that India's democracy can be made more egalitarian by including participatory accountability, strengthening grassroots leadership and inculcating the principle of equity relating the marginalized groups that are overlooked. This paper focuses on social segments that are underrepresented and often remain without equivalent targeted political rights & representation frameworks.

Keywords: Political participation, Marginalized Groups, Social Exclusion, Intersectionality, Participatory Democracy.

Chapter 1: Introduction

Political participation is one of the most crucial & healthy markers of a democracy that is functioning to signify the inclusivity & fairness of governing structures. Even though Indian constitution guarantees equality and representation for historically excluded groups like Scheduled castes, scheduled tribes and other marginalized groups but the LGBTQIA+ community, religious minorities and individuals with disabilities are some groups that are still overlooked. These groups are still excluded from decision making processes, not just because of legislative flaws but also due to inherent and long standing- deep rooted customs of institutional and sociocultural impediments (*Silver,1994; Young,2000*). The relevance of studying these excluded communities from political participation is not for them to get numerical representation but also recognition which makes any community relevant (*Narrain,2018*). For achieving a substantive democracy, each community must have the ability and chance to influence and shape the political agenda (*Young,2000*). Other marginalized groups which are not so marginalized presently, women enjoy reservations in local governance under article 243D, SC's & ST's enjoy political reservations under article 330-334. However, there are no comparable frameworks to that of PWD's, LGBTQIA+ people and religious minorities, not because they are not relevant; it is majorly due to institutional neglect and ancient cultural stigmas (*Mehrotra,2011; Ghai,2003*).

According to Robert's Park concept of marginality, it describes these groups on the edge of inclusion & exclusion, which translates to, that their existence is accepted as these are not outside democratic structure but are not fully integrated (*Park,1928*). Similar is stated in the notion of social exclusion which emphasizes how cultural prejudices along with institutional biases systematically deny them the access to political resources, creating a never-ending cycle of deprivation (*Silver,1994*). Furthermore, participatory democracy perspective reveals that empowerment must involve giving communities an opportunity to establish agendas and have a major say on decision making rather than it being reduced to something that is nominal or has tokenistic representation. Despite being the largest democracy in the world, the Indian electoral processes often strike an example of contradiction when it comes to representation of diversity of its citizens. Religious minorities, particularly Muslims who form around 14% of India's total population are severely under-represented in legislatures. According to report published in 2024 by *The Hindu (2018)*, 18th Lok Sabha had the lowest share of Muslims in six decades; less than 5% were Muslims (*Alam,2009; Hasan,2010; The Indian Forum,2024*). Despite legal developments in 2018 about same sex relationships in *Navtej Singh Johar V/S Union Of India (2018)*, the LGBTQIA+ community and their candidates are neither seen in any political participation, nor these have any impact on policy making (*Rao,2020; Narrain,2018; Reuters,2024*).

Therefore, the main goal of this study is to investigate how these excluded groups due to ancient social and cultural stigmas fit into India's democratic framework along with focusing on developing targeted mechanisms for inclusion, strengthening civil dimensions, and finally restructuring protocols to achieve true democratic empowerment. This would therefore bring India closer to idea of the country being an egalitarian democracy where all citizens are not just recognized for the sake of being recognized but also are made included in participating in political decisions to meaningfully shape the governance which is equal to all (*Sachar Committee Report,2006; Government of India,2016; Ghai,2003; Mehrotra,2011*).

1.1 Research Methodology

The study adopts a **qualitative, exploratory, and comparative design**. It does not test a hypothesis but explores the layered nature of political exclusion in India through theoretical and case-based inquiry.

1.2 Research Questions

This study is guided by following questions:

- A. What barriers do people with disabilities (PWD's), religious minorities, and LGBTQIA+ communities face in the field of political participation in India?*
- B. What statutory provisions, judicial interventions do the Indian constitution provide to address (or fail to address) these exclusions?*
- C. Till what extent are political practices merely tokenistic rather than substantively inclusive & transformative?*
- D. What inspirations are drawn from international models of inclusive democratic participation and how they can be used for the Indian framework?*
- E. How can participatory democracy be strengthened in a way that it is inclusive of each community?*

1.3. Literature Review

- 1. Primary Legal-Policy Texts:** Constitution of India (Articles 14, 15, 16, 29, 30, 325–327), RPwD Act (2016), Transgender Persons (Protection of Rights) Act (2019), Sachar Committee Report (2006), and judgments like *NALSA v. Union of India* (2014), *Navtej Singh Johar v Union of India*, *Disabled Right Groups Versus Union Of India*, *Puttaswamy Versus Union of India*, which upheld sexual orientation as a privacy factor.
- 2. Secondary Scholarship:** Books, journal articles, and policy reports (Jayal, Hasan, Narrain, Fraser, Pateman, Jaffrelot, Young, Sen).
- 3. Global Models:** Comparative analysis of participation mechanisms from IDEA, UNDP, and national constitutions elsewhere.

Analytical Framework:

The study applies a **theory-driven thematic analysis**, anchored in three overlapping lenses:

- 1. Social Exclusion Theory** → to identify structural closures.
- 2. Marginality Framework** → to locate communities within the liminal space of citizenship.
- 3. Participatory Democracy Theory** → to propose normative correctives for democratic deepening.
- 4. Comparative Method:** The Indian case is contrasted with select international practices (Uganda, New Zealand, Nepal, EU) to highlight both innovations and gaps.

1.4 Chapterisation

- Chapter 1: Introduction.
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Chapter 2: Social Exclusion as Structural Change: Theories & Goals

Social exclusion theory demonstrates how systematic obstacles prevent underprivileged groups from gaining equal share & access to political decision making, institutional resources as well as social mobility (Sen,2000; Silver,1994). Few institutionalized filters that include caste, religion, gender and handicap are entrenched hierarchies that are followed since time immemorial which in turn decides the granting of visibility in this democratic process (Hillary,1994;Jayal,2006). The framework which examines these overlooked groups are particularly relevant as these underrepresented groups like LGBTQIA+ individuals, religious minorities, and people with disabilities- who do not enjoy same structural safeguards like affirmative action, reservation policies as women, Scheduled Castes, Scheduled Tribes therefore makes this significant in nature (Misra,2021; Sharma,2022). The main theme behind social exclusion is that it underscores that denying someone the opportunity to participate in politics is a systematic closure of opportunities which is duly supported by laws, customs, and political institutions rather than only the result of individual discrimination (Sen,2000).

Complementing this is the notion of marginality on about Robert Park which brings out the positions of these people who are thereby on the verge of being called an outcast in the social space, but are not completely outside and neither are fully woven into it (Park,1928). Also, a normative theory that inclines towards the same is participatory democracy which has its roots in works of Pateman (1970) & Barber (1984) that democracy must actively engage citizens in decision making along with formal representation in all social & political domains. This therefore outlines the situation of religious minorities, LGBTQIA+ communities and PWD's to face political invisibility. They have been described as the "limited zone" in which a metaphorical acknowledgement of power exists but not substantive political empowerment. This therefore explains tokenism which helps clarify that appointment of a transgender mayor, religious minority leaders in ceremonial roles does not change the indifference point of the structure of governance being inadequate; which means that it does create an image of diversity but the power dynamics remain with the center. These inequalities can only be addressed if these are worked upon ensuring the that the principle of equity is at work, otherwise these are not corrected just because a symbolic figure is showcased. It is observed that these groups are constantly placed under exclusions & constitutional promises but never a yielding result to the promise (Misra,2021).

Therefore, these three theories demonstrate the barriers that this underrepresented face in India and the transitional state of these communities is basically described as a gap as the cohabitation of constitutional aspirations of equality along with persistent gaps indicates a disjuncture between law and its application on every person equally (Sharma,2022). For instance: 40% of polling stations are found to be inaccessible in 2019 elections and till present even after passing of the (Rights of Persons with Disabilities Act 2016). Similarly, article 14-15 prohibit discrimination but LGBTQIA+ citizens are still denied equal recognition in almost all spheres of social and political rights. With these all issues prevailing in the country democracy runs the risk of being called majoritarian, which therefore serves the interest of dominant communities while silencing those of the minorities (Alam,2009;Hassan,2010).

Chapter 3: Marginality & Constitutional Framework: Presence & Gaps

India's constitutional structure is praised for its advancing assurances of equality but underprivileged groups do not equally benefit from its inclusivity. Article 14,15,16 guarantees equality before law, condemns discrimination, Article 243D sets aside seats for women in local governments, Article 330-334 offers political reservations for Scheduled Castes and Scheduled Tribes (Jayal,2006). However, groups of

people such as PWD's, religious minorities and LGBTQIA+ communities remain largely excluded from these provisions which therefore reflects an acknowledgment of structural discrimination and the need to address these issues. Therefore, this constitutional silence results when formal equality & substantive inclusion do not meet each other (*Misra,2021; Sachar Committee Report,2006*).

Since the **Right of People with Disability Act,2016**, brought into compliance by the UN convention on the right of persons with disabilities, the legal status has through improved but it ensures no political representations. It just includes provisions for political engagement i.e. providing accessible voting. Even after the campaign of "Accessible Elections in 2019, **National Center for Promotion of Employment for Disabled People** released a report on nearly 43% of polling places were still inaccessible (*NCPEDP,2020; Sharma,2022*).

Religious minorities face similar dilemma. **The National Commission for Minorities Act 1992**, recognizes Muslims, Christians, Sikhs, Buddhist, Parsis and Jains as minority but their role is limited to advisory and does not extend to guaranteeing of political seats (*Alam,2009; Hassan,2010*). *The Sachar committee report* presented compelling evidence of Muslim underrepresentation showing that despite constituting 15% of India's population, only 27 Muslims MP's (5%) were elected in 2019 elections of Lok Sabha demonstrating absence of structural remedies for minority classes and a serious lack of political inclusion for these classes (*The Hindu,2024*). Moreover, in case of LGBTQIA+ community, systematic representation is still lacking, despite symbolic triumphs like passing of judgements the legislature still has been criticized for bureaucratic hurdles and its failure to create affirmative frameworks for political participation.

India's constitutional framework is robust in eliminating exclusions based on castes but it remains limited in extending political rights to PWD's, religious minorities and LGBTQIA+ communities (***Navtej Singh Johar V/S Union Of India (2018)***). Their participation is mainly reliant on court's intervention, policies, and not structural assurances. This uneven inclusivity therefore calls for an urgent need to guarantee that all marginalized groups have access to targeted mechanisms for political participation that aligned with India's constitutional promises along with democratic ideals (*Reuters,2024*).

Chapter 4: The Illusion of Inclusion: PWD's & Practice of Tokenism

According to *a Census in 2011*, almost around 2.21% of India's population live with some disability, despite then it is one of the least explored aspects of democratic inclusivity in India (*Mehrotra,2020*). This number is therefore frequently criticized for being under-reported, indicates that millions of Indians are marginalized in this type of political system. PWD's encounter a variety of barriers which are multidimensional; spanning mostly inaccessible infrastructure and lack of awareness. Even though the constitution recognizes the right to vote by article 326 and guarantees equality under articles 14,15,16, meaningful political participation & engagement is still elusive for this class of people. In accordance with **United Nations Convention on the Right of Persons with Disabilities (UNCRPD,2006)**, India has no doubt implemented a framework to guarantee accessible voting procedures and barrier free access at polling places but there are still noticeable implementation gaps.

A report by **National Centre for Promotion of Employment for Disabled People (NCPEDP, 2020)** revealed that nearly 43% of voting booth across the country were not wheelchair friendly, also election workers lacked sensitive training to address these challenges on ground zero, hereby diminishing the impact of statutory assurances. This would therefore lead to a "implementation deficit" (*Ghosh,2019*). Moreover, taking this is consideration different states have set precedent for inclusivity as Tamil Nadu

introduced exclusive voting stations manned only by the people who were disabled. These are therefore more of isolated initiatives than comprehensive changes. Comparative examples around the world highlights India's weaknesses as South Korea, New Zealand enforce strict accessibility mandates in electoral process for the disabled and even in unstable economies like Uganda and Ethiopia reserve parliamentary seats for people with disabilities (*Priestly et.al.,2016*).

India on the other hand, PWD's are limited to symbolic engagement than substantive engagement due to structural limitations for political participation & representation. This point of indifference is important to address as it highlights the absence of framework that could promote inclusivity among this class. This is major driver of tokenistic consultation rather than substantive co creation of policy agendas. Disability inclusive governance requires political participation and is based on the idea of "nothing about us, without us" (*Sen& Mitra,2019*) which emphasizes law created without representation will fall short of addressing the reality of people with disabilities, said the **Disability Rights India Foundation (DRIF)**. Judicial interpretation in **Disabled Right Groups Versus Union Of India (2017)** was of the view to order government to establish PWDs reservation quota in pubic jobs, nevertheless no comparable regulation as surfaced in this area of political participation, leading to the matter being "not adequately addressed" (*Sharma,2022*). PWD's still face a democratic deficit due to lack of mainstream representation and due to them being passive participants than active shapers of democratic decision making and participation (*Oliver,2019*)

Chapter 5: Participatory Democracy Relating Religious Minorities: A Transformative Framework.

In India, religious minorities hold a complicated place in Democratic system to balance the ongoing social political marginalisation. This therefore promises Constitutional equality in one hand and secularism in another. The latest census found that religious minorities make about 20% of the population with Muslims 14.2%, Christians for 2.3%, Sikhs for 1.7% and Buddhist for 0.7% and Jain for 0.4% and less than 0.1% for Parsis and Jews (*Fernandez,2018*). The major driver of structural exclusion and tokenism, and under-representation of these minorities is reflected in institutional exclusion of political engagement as well as political participation (*Engineer,2002*). The work expected from these minorities have basically been limited and are primarily advisory in nature (*Rahman,2017*).

Though Articles 25 to 30 talk about religious freedom and cultural rights, Article 15 talks about the prohibition of discrimination and Article 16 talks about equal opportunity, public employment, which offers a strong legal foundation for minority rights. Furthermore schedule, caste and schedule tribes are guaranteed political reservations under Article 330 to 334. Nevertheless, religious minorities are not guaranteed similar, institutional, and political representation. *The Sachar Committee In 2006* concluded that Muslims often face discrimination due to vote bank politics and this is what is described as symbol, inclusion, and substantive exclusion by the scholars (*Government of India,2006*). Although their experiences may vary, other minority groups also have difficulties compared to Muslims, Christians and six have comparatively stronger, social economic benchmarks. Yet they are still under-represented in the political system (*Hasan,2019*). Christians for instance are a highly educated community, but they have a very small percentage in national politics and their concerns like property rights for tribal Christian's protection of communal violence, rarely receive any attention from the legislature (*Vadaranjan,2020*). Despite constitutional protection, Buddhists, who were primarily Dalit face cast-based exclusion. For the most part, even Parsi and Jewish communities have historically had symbolic power, but lack of institutional protection and ancient customs are responsible for this under representation of these groups

(Gayer & Jaffrelot,2012).

Other nations like Bangladesh offer comparable protection to its Hindus and Christian communities, even Pakistan allocates seats for national minorities in the national assembly (Rahman,2017). India on the other hand relies on secular democracy, which frequently ignores systematic injustice that are a serious concern of constitutional fairness as it points towards the dominant bias; that is making rules, keeping only the dominant population in mind (Jaffrelot,2021). India fails to consider the most famous theory of the “veil of ignorance” given by a philosopher John Rawls, which helps to determine fair principles of a society by ensuring that the principles that are chosen are fair and impartial for all the communities residing in the nation (Rawls as discussed in Hasan,2019). These communities in India are torn between the realities of structural exclusion and aspirations of secular democracy. These smaller communities or minorities are clear indicators of democratic deficiency, lacking political reservations and structural changes which if improved are very important to promote democratic inclusivity and accountability.

Chapter 6: Law Versus Practice, Disjuncture of Rights: LGBTQIA+ Community.

In India, the LGBTQIA+ community is among the most marginalized groups in the political sphere, even though their rights have been recognised recently by the law, but the lack of institutional rights means for representation, structure, marginalisation and ingrained social stigma, which restricts their right in political engagement and participation. Even though equality is guaranteed by Article 14,15 and 21 of the Indian constitution, LGBTQIA+ people’s lives show persistent discrimination in both official and informal social political settings (Boyce, Coleman, Han & Malik,2019). Therefore, the lack of visibility of LGBTQIA+ identities in Indian politics, highlights a discrepancy between democratic practice and constitutional ideals (Dasgupta,2022).

Navtej Singh Johar Versus Union of India, in which the Supreme Court in section 377 of the Indian penal code, decriminalized consensual same sex relationships which therefore was inspired by acknowledgement of transgender people as being the third gender in **NALSA Versus Union of India**. This therefore held the rights to equality, dignity, and affirmative action (Narrian,2020). Despite this political participation has not proportionately increased in these judicial interventions. There is no constitutional framework or any legislative action that ensures or guarantees LGBTQIA + participation in elected entities, unlike women or caste waste groups. This therefore gives rise to token engagement with queer issues that are often translated into symbolic ways but never as substantive political agendas. The systematic exclusion is reflected in electoral politics where only a small number of transgender candidates stood for the office in 2019 Lok Sabha elections and none of them won, unfortunately. Therefore, underscores structural inabilities like lack of funding, part support and voter bias (Tripathi & Raj,2021). There have been some successes at state and local levels. For example, Madhu Kinner a transgender woman, was elected mayor of Raigarh in 2015 and Shabnam Mausai became the first transgender MLA in India, 1998, similarly, Joyita Mondal was appointed as the first transgender judge (Dave,2011). Despite these LGBTQIA, people are still marginalized in the mainstream political parties and decision-making bodies as these isolated incidents are more symbolic than transformative. The LGBTQIA + political discourse has been significantly shaped by the civil society movement. LGBTQIA + issues have been brought to public attention through pride, March collectors and advocacy groups (Hines,2020). This has always been a topic which has frequently collided with historical decisions of right to privacy verdict which was given in **Puttaswamy Versus Union of India**, which upheld sexual orientation as a privacy factor.

India is lagging other countries in terms of institutionalising LGBT QIA plus political involvement as Nepal 's constitution, expressly the rights of sexual gender and minorities and nations such as Pakistan and Nepal acknowledges third gender identities and their electoral records. Around the world countries like Canada and New Zealand have seen LGBTQIA+ people occupy prominent political positions which therefore leads to meaningful representation of the committee. This can be done by right, institutional, backing, and legal recognition. As India's long-standing customs and wider culture, stigmatisation, India's democracy is still hesitant to convert it, legal advancement into systematic political inclusion. According to the data from national human rights commission 2018, a survey indicated that discrimination based on being transgender people was identified. Almost around 92% of the respondents denied the right to participate in political and economic life due to discrimination based on this ground (**National Human Right Commission,2018**). Although the *Transgender Person Protection of Rights Act, 2019* aims to outlaw discrimination, it has drawn attention for lacking institutionalise, political representation and having minimum law enforcement (*Purkayastha,2020*).

In conclusion, even though LGBT QIA plus rights have been in the news lately for legislative advancements in India over the past 10 years, the community political involvement is still incredibly low. India in the coming decades would have to implement reforms, including guarantee, political party, quota, minority commissions and fostering an environment that supports queer leadership at the local level of government to realise its democratic promise of equality and participatory representation for all (*Narrain,2020; Dasgupta,2022*).

Chapter 7: Exclusion In Accessibility & Representation

In India, religious minorities, LGBTQIA+ populations and people with disabilities are consistently restricted for their political participation in India. The structural stems which lead to this marginalisation have their roots in tokenism, Speaker audience, reliance, establish hierarchy, and lack of leadership pipelines (*Hasan,2019*). The most basic challenge is cultural prejudice. This is because person with disabilities is not seen as citizens with rights, but rather look through lens of welfare perspectives (*World Bank,2021*).

Majoritarian narratives undermine religious minority, particularly the Muslims. The unconventional stigma, LGBTQIA+ people experience, degrades, and restrict their political ambitions. Their participation in party politics and leadership roles is weekend by these biases. Moreover, empowerment is further detailed by elite bias and tokenism. This can be seen in the instance of receiving minimum institutional support in case of transgender candidates. Muslims really have agenda setting power and are underrepresented (*CSDS-Lokniti,2019; Rai,2020*). Moreover, disability inclusion is also frequently rhetorical, which lacks systematic integration and deployment of powers that can be conferred to them. At the same time, network resources and education barriers, impeded the development of indigenous communities and leadership. Religious minorities continue to be marginalised in government youth wings, PWD's are excluded from training programmes and LGBTQIA + groups are not included in local governance activities despite their active cooperation (*Jaffrelot & Verniers,2016*). These elements work together to show that exclusion is structurally so deeply embedded that putting a stop to tokenism and encouraging grass Road leadership for real empowerment are all huge steppingstones that Indian systems must overcome to get closer to democracy and destroying prejudice on basis of these grounds completely (*Hasan,2019*).

Chapter 8: Majoritarianism & Democratic Deficit

In India, margin groups are often given limited rights when it comes to political participation and are frequently restricted to descriptive representation. Most of the descriptive inclusion is symbolic as transgender representatives, minority representatives or PWD's representatives are hardly seen in any influential discussions, but just are present for advisory roles. These are not even guaranteed accessible infrastructures in India. Similarly, Pitkin theory of substantive representation calls for actual agenda, setting authority, in which leaders of these groups influence policies to promote inclusive accessibility, funding, or an anti-discriminatory legislation (*Hanna Pitkin's, 1967*). This is termed as true empowerment. Such agency is frequently constrained by party control and elite dominance. Dependency regarding these communities is reinforced and is stuck in a vicious cycle of marginalised, leader, being strategically, nominated repeatedly, but are therefore excluded from decision-making spaces (*Centre of study of developed societies [CSDS], 2019*). To bridge gaps between these, require institutional reforms and addition to civil society, campaigning and grassroots mobilisation such as courts and leadership training. India can only realise its democratic potential when it is descriptive presence of this communities being symbolic, therefore developed into something that is substantive and transformative (*Burchardt et al., 2011; World bank, 2021*).

Chapter 9: From Symbolic Representation to Substantive Framework

Moving beyond symbol, efforts towards structural guarantees, civic capacity, cultural change, and participating accountability, these all are necessary to create an inclusive democratic country for PWD's religious minorities and LGBTQIA + populations (*International Institute for Democracy and Electoral Assistance [IDEA], 2021*).

1. Targeted political rights- despite the existence of reservations based on caste and gender exist, examples from Uganda of quotas for PWD's and reserved seats for indigenous communities in New Zealand demonstrate how institutional design may improve inclusion. Moreover, India could implement proportional court in Panchayat, which would require nomination of LGBTQIA + communities, religious minorities, and disabled candidates (*Htun, 2004*).
2. Civic competency - it is crucial to establish civic competency as according to *Verba, Schlozman and Brady, (1995)*, many groups do not have access to networks, resources, education, and knowledge required for effective participation. India should ensure easily available pose, digital platforms, political literacy, and leadership, development, and mentorship programme to encourage active participation of all communities (*Election Commission of India, [ECI], 2022*).
3. Cultural stigma- as much as cultures are deeply rooted in day-to-day activities (*Fraser, 2009*). It is important to eliminate cultural stigma that is dragging the democracy of a country down prejudice can be decreased and minority. Leadership can be normalised by media efforts and inclusive curricular of the same. Due to cultural sigma India's democracy is on the risk of becoming meaningless due to the absence of cultural change with modern times (*UNDP & USAID, 2014*).
4. Participatory accountability - these refers to mechanisms like social audits, participatory budgeting, citizen forums, which can help empower marginalised communities. Liberalisation of section 377 and LGBTQIA+ activism are some of the successful examples of grassroots mobilisation (*Beland et al., 2022*).
5. Inclusive party structures - these are essential parts as establishing a minority focused party and requiring internal diversified quota works as a balance between top down, assurances and bottom-up

empowerment and privileged populations from passive beneficiaries to active participants in democracy (Young, 2000).

Chapter 10: Recommendations & Conclusion Towards an Inclusive Participatory Framework

Despite constitutional promises of equality, the analysis revealed that PWD's religious minorities and LGBTQIA+ community continue to face political marginalisation in India. In contrast to women schedule and schedule caste who enjoy the benefits of affirmative action. These groups do not have institutional protection. Therefore, the environment is primarily symbolic.

Although inclusion is a goal of India's democratic framework of article 14, 16 and 46, real empowerment is hampered by ingrained hierarchy, cultural stigma, and elite supremacy. Participatory democracy requires real influence over agenda, setting and governance, not just a presence of an individual or a community.

Lessons can be taken from comparative experiences such as Nepal, Pakistan, Bangladesh, Sri Lanka, New Zealand, Uganda, et cetera, who have electoral accessibility, gender parity, Parliament, seats, and quota for indigenous communities.

In India, landmark judgement of **Navtej Singh, Johar versus union of India** and rights of person with disabilities act 2016 are two major grass roots campaigns in India that demonstrate how mobilisation can turn symbolism presence into real progress.

Three major tactics that are crucial for future.

1. Mandatory quota for underrepresented groups as a means of institutional reform
2. Civic capacity through accessible platforms and leadership development, and ensuring that everyone gets equal share of resources and knowledge for political participation
3. Cultural change to mainstream minority environment in the media and education, changes with time is necessary to facilitate new reforms and new law in this modern time.

A democracy is called to be legitimate when it empowers all citizens as equal political actors and runs on the principle of equity & considers the veil of ignorance principle while making decisions. Inclusion of these minorities, LGBTQIA+, PWD's communities is therefore not for charity, but for all citizens to be empowered as equal political participants. This is called justice.

"Embedding these underrepresented voices into structural frameworks that actually promote inclusivity and cultural awareness that doesn't discriminate on any ground is vital for India to achieve a truly participatory democracy".

Case laws & Acts:

A. Case Laws

1. **Navtej Singh Johar v. Union of India (2018)** Supreme Court judgment that decriminalized consensual same-sex relations by striking down Section 377 of the Indian Penal Code as unconstitutional.
2. **National Legal Services Authority (NALSA) v. Union of India (2014)** Landmark judgment recognizing transgender persons as the "third gender" and affirming their rights to equality, dignity, and affirmative action.
3. **Disabled Rights Group v. Union of India (2017)** Case where the Supreme Court directed governments to implement reservation quotas in public employment for persons with disabilities.

4. **Justice K.S. Puttaswamy v. Union of India (2017)** (*Right to Privacy case*) Supreme Court recognized privacy as a fundamental right under Article 21, including protection of sexual orientation as an aspect of autonomy.

B. Acts & Constitutional Provisions

1. **Rights of Persons with Disabilities (RPwD) Act, 2016** Expands disability categories from 7 to 21, mandates accessibility, non-discrimination, and aligns with the UN Convention on the Rights of Persons with Disabilities.
2. **Transgender Persons (Protection of Rights) Act, 2019** Aims to prohibit discrimination against transgender persons and ensure welfare measures, though criticized for bureaucratic hurdles and lack of affirmative inclusion.
3. **National Commission for Minorities Act, 1992** Establishes the National Commission for Minorities to safeguard the rights of recognized religious minority groups (Muslims, Christians, Sikhs, Buddhists, Parsis, Jains).
4. **Indian Constitution – Relevant Provisions**
 - **Article 14** – Equality before law.
 - **Article 15** – Prohibition of discrimination.
 - **Article 16** – Equality of opportunity in public employment.
 - **Article 21** – Protection of life and personal liberty.
 - **Articles 25–30** – Freedom of religion and protection of minority rights.
 - **Articles 330–334** – Reservation of seats for SCs and STs in legislatures.
 - **Article 243D** – Reservation for women in Panchayati Raj institutions.
 - **Article 326** – Universal adult suffrage.

C. Committees & Commissions

1. **Sachar Committee Report (2006)** Government-appointed committee to study the social, economic, and educational status of Muslims in India; found severe underrepresentation and marginalization.
2. **National Centre for Promotion of Employment for Disabled People (NCPEDP)** NGO that conducts studies and advocacy on disability rights; highlighted polling station inaccessibility in 2019 elections.
3. **National Human Rights Commission (NHRC, 2018 Survey on Transgender Persons)** Report showed 92% of transgender respondents were denied participation in economic and political life due to discrimination.

D. International Frameworks Referenced

1. **UN Convention on the Rights of Persons with Disabilities (UNCRPD, 2006)** International treaty affirming the rights and dignity of persons with disabilities.
2. **International Covenant on Civil and Political Rights (ICCPR, 1966)** Guarantees equal participation in political and public life as a human right.
3. **Yogyakarta Principles (2007)** International guidelines on the application of human rights law concerning sexual orientation and gender identity.

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