BLOGS

Article 14 under the Indian Constitution

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Article 14 under Indian Constitution

Article 14 of the Constitution of India is one of the fundamental rights that guarantees equality before the law and equal protection of the law to all persons within the territory of India. The article states that “the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”

This means that all individuals, regardless of their caste, creed, religion, gender, or place of birth, are entitled to equal treatment and protection under the law. The State cannot discriminate against any person on the basis of these characteristics.

Furthermore, Article 14 also prohibits arbitrary discrimination by the State. The State cannot pass laws that are discriminatory in nature or that unfairly target certain individuals or groups. All laws must be based on rational and justifiable criteria, and must apply equally to all persons.

Scope of Article 14

The scope of Article 14 is very wide, and it applies not only to citizens but also to non-citizens, including foreigners, residing in India. It covers all actions of the State, including legislative, executive, and judicial actions. It is based on the principle of the Rule of Law, which is a fundamental feature of the Indian Constitution.

Exceptions to Article 14

There are some exceptions to Article 14, such as affirmative action or reservation policies for historically disadvantaged groups. These policies are meant to address historical injustices and inequalities, and are aimed at providing equal opportunities to all individuals.

Judicial Interpretation of Article 14

Over the years, the Indian judiciary has played a significant role in interpreting and expanding the scope of Article 14. The Supreme Court has held that the right to equality includes the right to equal access to justice, the right to live with dignity, the right to a fair trial, and the right to be free from discrimination on arbitrary grounds.

- State of West Bengal v. Anwar Ali Sarkar: In this case, the Supreme Court held that Section 5(1) of the West Bengal Special Courts Act, 1950 was unconstitutional as it conferred arbitrary power upon the Government to classify cases. The section was said to lack a nexus between the reasonable classification and the object of the Act.
- Indira Gandhi v. Raj Narayan: SC held that the rule of law embodied in Article 14 is a basic feature of the Constitution and it cannot be destroyed by an amendment.
- RK Garg v. Union of India: In this case the Supreme Court held that Article 14 forbids class legislation but it doesn’t prohibit reasonable classification.
- DS Nakara v. Union of India: In this case, pensioners had been excluded from additional benefits received by other pensioners due to the date of their retirement. The petitioners challenged the validity of Central Civil Services (Pension) Rules, 1972. The Apex Court held that the selection of the date for the scheme was arbitrary and without any rational nexus
- Manenka Gandhi v. Union of India: In this case, it was laid down that Article 14 strikes at the arbitrariness in state actions and ensures equality of treatment. It also laid down that article 14 forbids class legislation but does not forbid reasonable classification for the purpose of legislation.