AILET

Last Minute Revision for CLAT PG: Important Judgements for the Month of June- Part II

Indrasish Majumder · 22 Nov 2024

Preparing for CLAT 2025 and looking for comprehensive resources? Read this post to go through Part I of the important judgements of June.

Patna High Court Strikes Down Bihar's Reservation Amendment, Increasing Quota to 65%

- Case: Gaurav Kumar vs. The State of Bihar
- Background: The Bihar government's 2023 amendment to the Reservation of Vacancies Act, which raised the reservation cap from 50% to 65% in the employment and educational sectors, sparked several petitions. The petitioners contended that this action violated the principle of equal opportunity and lacked sufficient data support.
- The Patna High Court criticized the Bihar government for failing to conduct a thorough analysis before implementing the amendment. It highlighted that the state had not appointed any expert committee or carried out a scientific study to examine the impact of existing reservations and identify communities that might still be underrepresented. The Court underscored the necessity of evidence-based policymaking, especially in matters affecting equal opportunity and social justice.
- Decision: The Court set aside the reservation amendment, ruling that without comprehensive data and an expert-backed assessment, the government's increase in the quota was unjustified. This judgement underscores the crucial role of data-driven decision-making in affirmative action policies.

Karnataka High Court Grants Interim Bail to POCSO Accused to Marry Victim Who Reached Majority

- Background: The accused filed a bail application under the POCSO Act with the intent to marry the victim, who had since turned 18 and recently given birth to his child. The victim's mother lodged the original complaint, alleging that the accused sexually assaulted her daughter when she was a minor.
- The Court's observation: The Karnataka High Court took note of the complex social circumstances surrounding the case, emphasizing that marriage could provide stability and social legitimacy to the relationship. A DNA report confirmed the accused's paternity of the child, which the Court deemed a significant factor in its decision.
- Decision: The Court granted a 15-day interim bail, allowing the accused to marry the victim. It observed that this resolution could be in the best interest of the child and the families involved, aligning with social norms while also considering the welfare of the minor child.

The National Human Rights Commission addresses labor rights violations at Amazon Warehouse

- Background: A media report highlighting alleged labour rights abuses at an Amazon warehouse in Manesar, Haryana drew the attention of the National Human Rights Commission (NHRC). According to the report, workers were required to pledge against taking breaks until completing tasks because of inadequate access to restroom facilities.
- The NHRC expressed serious concerns over the alleged working conditions, stating that such practices, if verified, could constitute a severe violation of labor rights and basic human dignity. The Commission underscored the need for proper work conditions, reasonable break policies, and adequate facilities for laborers, and it emphasized that exploitation in any form contravenes labor standards.
- Directive: The NHRC issued a notice to the Union Ministry of Labour and Employment, seeking a detailed report on the conditions and policies at Amazon's warehouse within a week. This directive underscores the NHRC's commitment to addressing labor rights issues in corporate environments.

Kerala High Court Upholds Right of Transwoman to Resist Conversion Therapy and Forced Detention

- Case: Adithya Kiron v. The Station House Officer & Ors
- Background: The friend of a transwoman filed a habeas corpus petition, alleging that her family had forcibly detained her and subjected her to conversion therapy. The petitioner claimed the transwoman faced abuse and coercion intended to alter her gender identity.
- The Kerala High Court referenced prior judgements affirming the right to gender identity as a fundamental right. The Court condemned any attempts at conversion therapy, calling it an illegal and inhumane practice that infringes upon individual autonomy. It highlighted the importance of upholding the rights and dignity of LGBTQ+ individuals, stressing that familial or societal opposition cannot override one's personal identity choices.
- Directive: The Court issued an interim order directing the police to ensure the transwoman's immediate safety and to produce her before the Court. The order mandated the halt of any forced medical or psychological intervention, safeguarding her right to live free from coercion.

Madras High Court Denies Plea to Quash Charges Against Teachers for On-Campus Protest

- Case: TV Swaminathan vs. State
- Background: A group of teachers, including TV Swaminathan, organized a protest on the Pachaiyappa Trust College campus against the administration's policies. Following the protest, the interim administrator filed a complaint, leading to charges under the Criminal Procedure Code for alleged disruptions.
- The Madras High Court found that while the teachers had a right to voice their concerns, the setting of an educational institution made the protest particularly disruptive. It noted that while peaceful protest is a constitutional right, any violent or disturbing action within an educational environment requires accountability. The Court dismissed the teachers' affidavits of apology, stating that the potential impact on students warranted judicial intervention.
- Refusing to quash the charges, the Court advised the teachers to seek relief through plea bargaining or compounding at the trial level, highlighting the importance of maintaining order and discipline on educational campuses.