BLOGS

Landmark Judgements on Article 15

Khushi Malviya · 26 Jul 2023

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Introduction

Discrimination on the basis of caste, race, gender, place of birth, or religion is forbidden by Article 15. The Indian Constitution forbids any kind of restriction, disability, or condition with regard to accessing public parks, stores, hotels, and restaurants.

Article 15 has enabled Indian society remain tall and proud in the face of great diversity, sexism, and racism. It is a protector of the underprivileged and a shield against prejudice. Despite a strict caste system, it has long contributed to the unity and equality of India and will always do so.

Article 15 has always made an extra effort to assist those who are truly in need. The position of the oppressed has significantly improved since it began in 1949. It provides the legislative branch with all they need to implement policies that promote societal harmony. Atrocities committed against the poor have dramatically decreased in frequency.

[Also Read: Notes on Article 15 of the Indian Constitution]

Landmark Judgements on Article 15

State of Madras v. Champakam Dorairajan

This significant constitutional ruling paved the way for the first amendment to the Indian Constitution. The First Amendment allows the inclusion of a reservation policy by introducing clause 4 in the Constitution.

Clause 4 of the Constitution as it stands now gives the state the authority to work for the Scheduled Caste and Scheduled Tribe through policies that are educationally and socially advantageous. While the Lok Sabha was still in the process of being created, the Constitution's first amendment was approved. It was started back in 1952.

It was the first choice made to reconcile the disparity between fundamental rights and the guiding principles of governmental policy. In this groundbreaking case, the Supreme Court ruled that the government's order reserving seats in educational institutions based on caste and religion was unconstitutional.

The judgement laid the foundation for the concept of "reasonable classification," emphasizing that affirmative action and reservations must be based on valid criteria to address social and educational backwardness rather than religious or caste considerations.

DP Joshi v. State of Madhya Bharat

In the landmark case of DP Joshi v. State of Madhya Bharat, the constitutional validity of a reservation order providing seats in medical and engineering colleges for candidates from backward classes was challenged under Article 15(1) of the Indian Constitution, which prohibits discrimination based on various grounds.

The Supreme Court upheld the reservation order, asserting that Article 15(1) does not bar the state from making special provisions for the advancement of socially and educationally backward classes.

The Court emphasized that such provisions must be aimed at promoting educational advancement and based on objective criteria like social and educational backwardness, rather than mere caste considerations. Moreover, the Court stressed the importance of a flexible reservation policy responsive to changing social and economic conditions in society.

M. Nagaraj v. Union of India

The Supreme Court, in this case, reiterated the importance of the **"creamy layer"** principle in reservations for Scheduled Castes (SCs) and Scheduled Tribes (STs) in promotions in public employment. The court held that the state must provide quantifiable data showing backwardness and inadequacy of representation to justify such promotions.

The court also assessed the workability of the Rules of 2002 and found them to be in violation of Article 16(4) (A) and (4) (B) and Article 335 of the Constitution. The rules' provision concerning reservation, backlog vacancies, carry-forward of unfilled posts, and roster operation was deemed contrary to the law laid down in the Nagaraj case.

The major issue identified was the indefinite carrying forward of unfilled reserved posts, which are not included in the 50% ceiling, leading to a continuous increase in such vacancies. As a result of the court's decision, more than 50,000 officials from various ranks may face reversion, and the promotions of SC/ST category individuals made under these rules were deemed invalid and must be reversed.

Janhit Abhiyan v. UOI

The Constitution (One Hundred and Third Amendment) Act, 2019, and the reservation for economically weaker sections (EWS) were affirmed by the Supreme Court of India as a result of Janhit Abhiyan v. Union of India.

This case has had a big influence since it has made sure that those in the economically underprivileged parts of society are given equal opportunity in both education and employment. The reservation for EWS is an enabling clause that gives the state the authority to provide special accommodations in educational settings and job opportunities for members of the society who are economically weaker.

People from economically disadvantaged backgrounds now have new options to access high-quality education and stable employment thanks to the reservation for EWS. The implementation of reservation for Economically Weaker Sections (EWS) has raised concerns about its potential impact on existing reservations for SCs, STs, and OBCs.

It is essential to prevent any dilution of existing reservations and to ensure that the total reservation percentage does not exceed 50%. Despite these concerns, the overall impact of the case has been positive, as it aims to uplift economically weaker sections and promote social and economic equality in India.

However, careful monitoring of the EWS reservation's implementation will be crucial to ensure it achieves its intended objective without adversely affecting existing reservations.

Conclusion

Article 15 has significantly improved the condition of the downtrodden in India by promoting harmony and reducing atrocities against underprivileged classes. It prohibits discrimination based on religion, race, caste, gender, or place of birth, aiming to ensure equal opportunities and advancement for socially backward groups.

While reservations have sparked disputes, their purpose is to aid the disadvantaged rather than divide society. Although discrimination persists, the article has contributed to reducing inequality and upholding India's unity and equality, aligning with the Constitution's preamble.

The landmark judgements on Article 15 have played a crucial role in ensuring social justice and equality in India. Through these rulings, the judiciary has struck a balance between the promotion of affirmative action and the preservation of meritocracy. Article 15 continues to serve as a powerful tool in the fight against discrimination, and these decisions have significantly contributed to the nation's progress towards a more inclusive and equitable society.