
CASE COMMENT: STATE OF PUNJAB & ORS. VS DEVINDER SINGH

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- **Case Name:** *State of Punjab and Others vs. Devinder Singh and Others*
- **Citation:** 2024 SCC OnLine SC 1860
- **Court:** Supreme Court of India (Constitution Bench)
- **Date of Judgment:** 1 August 2024

Introduction

The case of *State of Punjab & Others vs Devinder Singh & Others* (2024) stands as a constitutional milestone in India's ongoing struggle to ensure equitable distribution of reservation benefits among historically marginalized communities. Decided by a 7-judge bench of the Supreme Court, this judgment revisited and ultimately overruled the earlier precedent set in *E.V. Chinnaiah* (2004), which had barred States from creating sub-classifications within the Scheduled Castes (SCs) for the purposes of affirmative action. The core issue before the Court was whether States, under Articles 15(4) and 16(4) of the Constitution, could sub-divide the SC quota based on empirical evidence of unequal access to reservation benefits among various SC sub-groups—without violating Article 341, which vests the power of identifying SCs solely with the President and Parliament.

The case drew national attention due to its implications for social justice, constitutional federalism, and the interpretation of equality. With the reservation system often criticized for benefiting only the relatively advanced castes within the SC category, the judgment reignited debate on whether formal equality is sufficient in addressing deep-rooted social disparities. The Supreme Court's decision marked a significant shift towards a more nuanced, data-driven approach to affirmative action, placing the focus not merely on representation but on meaningful upliftment of the most disadvantaged among the disadvantaged.

This introduction sets the stage for a deeper examination of the legal issues, arguments, reasoning, and implications surrounding the landmark 2024 verdict.

Facts & Background

Reservation Policy Background in Punjab

The genesis of the legal dispute lies in a **1975 circular issued by the Government of Punjab**, which aimed to restructure the internal distribution of reservation benefits among the Scheduled Castes (SCs) in the state. This circular **earmarked 50% of the total SC quota** exclusively for two sub-castes — **Balmikis and Mazhabi Sikhs**. These communities were identified as being the most socio-economically and educationally disadvantaged among all SCs in the region.

At the time, the **Scheduled Caste reservation quota** stood at **25%** in the state of Punjab, which meant that 12.5% was now to be reserved only for Balmikis and Mazhabi Sikhs. This policy continued in force for several years and was reflected in recruitment rules and educational admission guidelines.

Rationale Behind the 1975 Notification

The State justified its decision on the basis of **empirical data and social reality**. While the SCs as a whole were constitutionally eligible for affirmative action, it was observed that **only a few dominant sub-castes** were repeatedly benefiting from the system. Balmikis and Mazhabi Sikhs, despite being eligible, remained **underrepresented in education, employment, and administrative services**.

The government's attempt was not to divide the SCs but to **ensure equitable access to the benefits of reservation**, which had otherwise become concentrated in the hands of a few better-off communities.

Challenge to the Policy

The 1975 policy was challenged by members of other SC communities on the ground that it **violated the constitutional mandate**. The main legal contention was that **sub-classification among SCs was impermissible under the Constitution**, particularly **Article 341**, which gives

the **President of India the exclusive authority to notify or alter the list of Scheduled Castes**. It was argued that once a caste is included in the list under Article 341, all members are to be treated equally, and the **State has no power to prioritize or sub-categorize** among them for reservation purposes.

Reliance on E.V. Chinnaiah Case (2004)

The **Punjab and Haryana High Court** struck down the 1975 notification, relying heavily on the precedent laid down in **E.V. Chinnaiah v. State of Andhra Pradesh (2004)**. In Chinnaiah, a **five-judge bench** of the Supreme Court had ruled that:

- The SC list under Article 341 is sacrosanct and cannot be altered by State action.
- All SC communities constitute a **homogeneous class**.
- Any **internal sub-classification or distribution** within the SC category by a State **violates the equality clause** under Article 14.

Applying this principle, the High Court held that the **Punjab government lacked constitutional competence** to issue the 1975 circular, and it was therefore struck down.

Appeal to the Supreme Court

The State of Punjab, along with several other states (including Tamil Nadu and Haryana), sought to challenge the Chinnaiah precedent itself. They argued that the **reality on the ground had changed** and that Chinnaiah created an **artificial and impractical bar** on equitable reservation. The appeal was taken up by the Supreme Court in the case titled **State of Punjab & Others vs Devender Singh & Others**.

Questions of Constitutional Interpretation

The case brought to the fore some significant constitutional questions:

- **Can Scheduled Castes be sub-divided by the State for targeted benefits?**
- Does Article 341 **prohibit internal classification**, or only control the list of recognized SCs?

- Are SCs truly a **homogeneous group**, or is there evidence of **stratification and unequal development** among them?
- Do Articles **15(4)** and **16(4)** allow the State to **classify within backward groups** for the purpose of ensuring true equality?

Issues in the Case

1. **Whether Scheduled Castes Constitute a Homogeneous Class for the Purpose of Reservation under Articles 15(4) and 16(4)?**
 - Can the State treat all Scheduled Castes as one single group when granting reservation?
 - Or does the existence of **social and economic stratification** among different SC communities permit **internal classification**?
2. **Whether a State Government Has the Constitutional Competence to Sub-classify Scheduled Castes for the Purpose of Equitable Distribution of Reservation Benefits?**
 - Is it within the powers of a State under Articles 15(4) and 16(4) to identify more backward groups within SCs and give them preferential treatment?
 - Does such classification violate the list notified under **Article 341**, which is under the exclusive domain of the President and Parliament?
3. **Whether the 2004 Judgment in *E.V. Chinnaiah v. State of Andhra Pradesh* Was Correct in Law?**
 - Should *Chinnaiah*, which held that Scheduled Castes are a homogenous class and sub-classification is impermissible, continue to be binding law?
 - Or should it be overruled in view of **emerging social realities**, evolving jurisprudence on **substantive equality**, and the need for **distributive justice**?

4. **Whether Sub-classification Within SCs Violates Articles 14, 15, and 16 of the Constitution?**

- Does giving preference to some SC communities over others amount to **discrimination**?
- Or is it a legitimate exercise of the principle of **reasonable classification** under Article 14?

5. **Whether Sub-classification Within Scheduled Castes Alters or Tinkers With the SC List Under Article 341 of the Constitution?**

- Can sub-classification be interpreted as **interference with the Presidential list of SCs**, which only Parliament can amend?
- Or is such classification permissible as long as it doesn't exclude any caste from the SC list but merely **reorganizes the distribution of benefits**?

6. **To What Extent Can States Use Empirical Data to Design Reservation Policy for SCs?**

- Can State Governments rely on **socio-economic data, surveys, and commission reports** to justify internal reservations?
- Is the availability of such data a sufficient constitutional basis to modify the structure of reservation within the SC group?

Decision of the Court

The 7-judge Constitution Bench delivered a **majority verdict (6:1) overruling *E.V. Chinnaiah***. The Court held that **Scheduled Castes are not a homogenous class**, and that states are **constitutionally empowered** to create **sub-classifications within SCs** for equitable distribution of reservation benefits. This sub-classification, when based on **quantifiable data and reasonable criteria**, does not violate Article 14 and does not amount to altering the SC list under Article 341.

The Court stated:

“States have the authority to recognize that not all Scheduled Castes stand on an equal footing and to implement measures to benefit the most disadvantaged among them. Such action is within the spirit of Articles 15(4) and 16(4) and consistent with the constitutional commitment to substantive equality.”

Reasoning of the Court

(i) Heterogeneity Within Scheduled Castes

The Court acknowledged the **deep inequalities within the SC category**. Empirical studies and social data revealed that certain sub-castes had historically and socially remained far more marginalized than others. Treating all SCs as one undifferentiated group was contrary to **ground realities**, and perpetuated the exclusion of the weakest among the marginalized.

(ii) Substantive Equality vs Formal Equality

The Bench reaffirmed the principle that the **goal of reservation is not tokenism**, but the **real advancement of the socially and educationally backward**. True equality under the Constitution must be **substantive**, not merely formal. Therefore, sub-classification enables the State to ensure that **benefits reach those who truly need them**, not just the dominant sections within a marginalized group.

(iii) Relevance of Indra Sawhney and the “Creamy Layer” Principle

The Court invoked *Indra Sawhney v. Union of India* (1992), where it had upheld the concept of **“creamy layer”** and reasonable classification within Other Backward Classes (OBCs). It noted that **intelligible differentia and a rational nexus** are the two-fold tests of valid classification under Article 14, and these applied equally to SCs when states act to promote intra-group equity.

(iv) No Violation of Article 341

The Court clarified that the power of the President under Article 341 is **limited to identifying SCs**, and does **not extend to the internal allocation of reservation benefits**. Sub-

classification does not alter or exclude any group from the SC list; it merely ensures that **benefits are more equitably shared** among those included. Therefore, such state action does not infringe on the Presidential list.

(v) Federalism and State Competence

The Court emphasized the **federal structure of the Constitution**, under which states are key actors in delivering social justice. Articles 15(4) and 16(4) empower states to frame **tailored policies** to uplift the socially disadvantaged, and this necessarily includes the authority to address **intra-group inequality**.

Rationale of the Majority

The core rationale of the majority opinion was:

- The **objective of reservation** is not merely to reward historically disadvantaged groups in a blanket manner but to **elevate those who remain underrepresented and powerless**, even within those groups.
- A blanket policy of equal treatment within SCs leads to **inequitable outcomes** and defeats the constitutional vision of social justice.
- **Sub-classification serves the constitutional goals of distributive justice, equity, and empowerment**, and aligns with the idea of inclusive reservation.
- Rigid interpretation of Article 341 must yield to the **dynamic and evolving needs of social welfare governance**, particularly when **empirical data supports corrective classification**.

Dissenting Opinion

Justice **Bela M. Trivedi** penned a **dissenting judgment**, asserting that:

- Article 341 of the Constitution **vests exclusive authority in the President and Parliament** to recognize or modify the SC list.
- Any **internal reordering by the States** of reservation benefits within SCs indirectly

amounts to **altering the list**, which is unconstitutional.

- Sub-classification among SCs by states would violate **Article 14**, as it arbitrarily denies benefits to other listed SCs without legislative sanction.
- The equality clause must be balanced with the rule of law, and **judicial restraint** is necessary when interpreting the Constitution.

Her dissent cautioned that such an approach could **open a Pandora's box**, leading to endless fragmentation and **politicization of caste-based policy**.

Impact and Significance of the Judgment

This ruling is likely to have **far-reaching consequences**, both legally and politically.

(i) Legal Consequences

- It **overrules a two-decade-old precedent** and provides **clarity to states** seeking to revise their reservation policies.
- The decision enables **states to create internal quotas or priority lists** within SCs, STs, and even OBCs.
- Opens the door for **judicial approval of caste-based sub-classification**, provided it's backed by **quantifiable data**.

(ii) Social Consequences

- The judgment acknowledges **real disparities** within historically oppressed groups and aims at **inclusive justice**.
- It may empower the **poorest and most underrepresented castes** to finally access reservation benefits.
- It recognizes the **invisible hierarchy within caste groups**, ensuring the **cream doesn't monopolize the cream** of benefits.

(iii) Political Consequences

- This ruling gives political cover to states to **restructure their reservation architecture**, especially in regions where dominant SC castes have long enjoyed disproportionate advantage.
- It may fuel **demand for similar sub-classification among STs and OBCs**, and possibly even within the **EWS category**.

(iv) Policy Implications

- Governments will now be expected to **collect robust empirical data** before creating such sub-classifications.
- The ruling will likely lead to the setting up of **commissions or expert committees** to evaluate socio-economic conditions within SCs.

Conclusion

The Supreme Court's 2024 decision in *State of Punjab v. Devender Singh* is a **watershed moment** in Indian constitutional law. It redefines the scope of **affirmative action** by endorsing **contextual equality** over a one-size-fits-all approach. The judgment demonstrates a **mature constitutional understanding of caste, inequality, and state responsibility**, and lays the foundation for **data-driven, equitable reservation policies** in India.

By overruling *Chinnaiah*, the Court has harmonized the **letter of the law with the spirit of justice**, and moved a step closer to realizing the **vision of an egalitarian society** envisioned in the Constitution.