

SCObserver Worksheet

Reservation in Promotion

Jarnail Singh v Lakshmi Narayan Gupta

- 1) What is Reservation in Promotion policy? Why did the matter come before the Supreme Court?
Case Background
- 2) Has Reservation in Promotion had a bitter history of contestation between Parliament and the Supreme Court?
Court in Review + Case Background
- 3) Why did various States and Union Government file appeals seeking a review of the 2006 *Nagaraj* case, when the Court had already recognized Reservation in Promotion for SC/STs?
Case Background + Tripura Civil Appeal
- 4) Why did Attorney General K.K. Venugopal and Senior Counsel P.S. Patwalia argue against “demonstrating further backwardness” among SC/STs seeking Reservation in Promotion?
Oral Arguments 1&2
- 5) Counsel Rajeev Dhavan seeking review of *Nagaraj* argued that assuming SC/STs to be perpetually backward violates the Right to Equality? What arguments were advanced to support this assertion?
Oral Arguments 4
- 6) What did the Court decide with regards to reviewing *Nagaraj* Case? Did the Court strike down or clarify any of the directives from *Nagaraj*? Did the Court introduce any new directives?
Plain English + Judgment:
 - **para 18 [further backwardness]**
 - **para 20 [inadequate + cadre]**
 - **para 15 & 16 [creamy layer] – facet of Equality**
- 7) How has the judgment been received on the ground? What are some of the main criticisms against the judgment?
10 case series