



Worksheet 3

Reservation in Promotion

Jarnail Singh v Lakshmi Narayan Gupta

- 1) What is Reservation in Promotion? Why did the matter come before the Supreme Court?
- 2) Has Reservation in Promotion had a history of contestation between Parliament and the Supreme Court?
- 3) Why did various States and the Union Government file appeals seeking a review of the 2006 *Nagaraj* case, when the Court had already recognized Reservation in Promotion for SC/STs?
- 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?
- 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?
- 6) What did the Court decide with regards to reviewing the *Nagaraj* case? Did the Court strike down or clarify any of the directives from *Nagaraj*? Did the Court introduce any new directives?
- 7) How has the judgment been received on the ground? What are some of the main criticisms of the judgment?