

CONSTITUTIONAL EFFORTS FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN INDIA: A STUDY

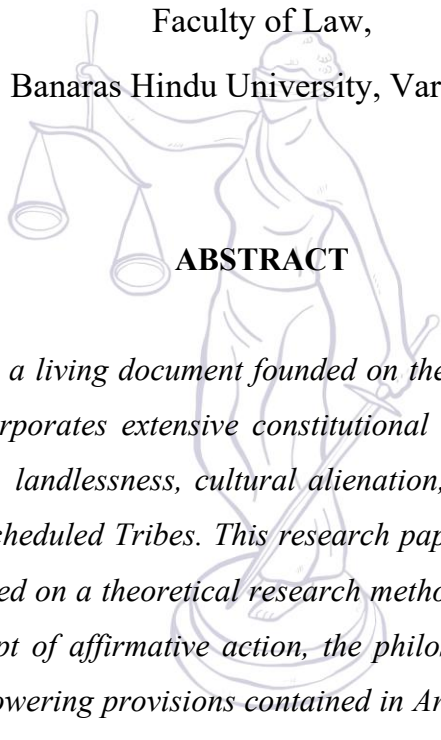
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ABSTRACT

The Constitution of India is a living document founded on the values of social justice, equality, and human dignity. It incorporates extensive constitutional efforts to eradicate the historical exploitation, untouchability, landlessness, cultural alienation, and structural inequalities faced by Scheduled Castes and Scheduled Tribes. This research paper presents a rigorous theoretical analysis of these efforts based on a theoretical research methodology. It examines the principles of social justice, the concept of affirmative action, the philosophy of the Constitution-makers, and the protective and empowering provisions contained in Articles 14, 15, 16, 17, 46, 330, 332, 335, 338, 338A, 339, and 340. The study establishes that the Constitution not only guarantees formal legal equality but also assigns the state an active role in achieving substantive equality. Drawing upon historical continuity, constitutional morality, the Ambedkarite perspective, and contemporary judicial interpretations, the paper demonstrates that constitutional efforts extend far beyond reservation. They construct a multi-dimensional framework encompassing political representation, educational opportunities, economic empowerment, cultural protection, and institutional oversight. Theoretical analysis reveals that these provisions move beyond liberal

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equality toward a transformative conception of social justice. Nevertheless, challenges of implementation, intra-group inequalities, and limitations of political will continue to constrain their full success. The paper concludes that constitutional efforts form the foundation of India's democratic experiment and that only continuous theoretical and practical re-examination can realise the ideal of social justice. This study provides a theoretical foundation for future policy-making and constitutional interpretation.

Keywords: Scheduled Castes, Scheduled Tribes, Constitutional Provisions, Social Justice, Affirmative Action.

1. Introduction

Indian society has historically been structured around the caste system and tribal isolation. Scheduled Castes endured untouchability, rigid occupational division, and social exclusion, while Scheduled Tribes faced displacement from land, cultural erasure, and state neglect. During the freedom struggle, the question of protecting the rights of these groups became central to the national discourse. Under the leadership of Dr. B.R. Ambedkar, the Constituent Assembly resolved to end these historical injustices. The Constitution emerged not merely as a document of political freedom but as an instrument of social revolution.

This research paper adopts a theoretical research methodology. Instead of relying on empirical data, it emphasises conceptual analysis, historical continuity, philosophical foundations, and constitutional interpretation. The objective is to understand the protective and empowering framework constructed by the Constitution for Scheduled Castes and Scheduled Tribes, to identify its theoretical roots, and to examine how these efforts connect with the broader concept of social justice.

The limitation of the study is that it is not based on primary data. It rests on a critical synthesis of the original text of the Constitution, Constituent Assembly debates, judicial decisions, and theoretical literature. The significance of the study lies in providing a theoretical foundation for

understanding contemporary debates on reservation and social justice in the light of constitutional morality.

2. Theoretical Framework

The concept of social justice ranges from John Rawls's principles of justice to Ambedkar's idea of social democracy. Rawls's "veil of ignorance" posits that a just society prioritises the interests of the least advantaged. Ambedkar extended this idea in the Indian context, arguing that political democracy can survive only when accompanied by social and economic democracy.

The concept of affirmative action acknowledges the limitations of liberal equality. Formal equality alone cannot dismantle historical inequalities. Therefore, the state is authorised to practise temporary unequal treatment in order to establish substantive equality. This concept is clearly reflected in Articles 15(4) and 16(4) of the Constitution.

Constitutional morality, a notion Ambedkar placed before the Constituent Assembly, demands that the values of the Constitution be internalised not only in law but also in social practice. The constitutional efforts for Scheduled Castes and Scheduled Tribes are the practical expression of this morality.

Theoretically, these provisions can be understood at three levels: protective (prohibition of untouchability and protection from exploitation), representational (reservation), and empowering (educational, economic, and cultural rights). These three levels are interlinked and together constitute a comprehensive strategy of social transformation.

3. Historical Background and Constituent Assembly Debates

The formal identification of Scheduled Castes and Scheduled Tribes began during the British period. The Government of India Act, 1935, introduced the term "Scheduled Castes." At the time of Independence, the condition of these groups was extremely precarious. In the Constituent

Assembly, Ambedkar, Jaipal Singh Munda, H.J. Khandekar, and other members engaged in intense debate.

Ambedkar made it clear that untouchability was not merely a social custom but a structural system that required legal force for its eradication. Jaipal Singh Munda emphasised the cultural autonomy and land rights of tribal communities. The Constituent Assembly ultimately accepted protective discrimination because pure equality would have perpetuated historical injustice.

These debates are theoretically significant because they reveal the tension between liberal equality and social justice. The Constitution ultimately prioritised social justice.

4. Theoretical Analysis of Constitutional Provisions

4.1 Provisions Relating to Equality and Non-Discrimination

Article 14 guarantees equality before the law. Article 15 prohibits discrimination on grounds of religion, race, caste, sex, or place of birth. However, Article 15(4) permits the state to make special provisions for the socially and educationally backward classes and for the Scheduled Castes and Scheduled Tribes. This provision forms the constitutional foundation of affirmative action.

Article 16 guarantees equality of opportunity in public employment, yet Article 16(4) enables reservation for backward classes. Theoretically, these provisions mark the transition from formal equality to substantive equality.

Article 17 abolishes untouchability and makes its practice a punishable offence. This provision is not merely legal; it symbolises a moral revolution. The Constitution sought to uproot untouchability from the social order.

4.2 Directive Principles and the Duties of the State

Article 46 directs the state to promote with special care the educational and economic interests of the Scheduled Castes and Scheduled Tribes and to protect them from social injustice and all forms of exploitation. This is one of the most significant Directive Principles because it makes the active role of the state obligatory.

Theoretically, Article 46 gives concrete form to the idea of social democracy. It imposes on the state not only negative duties (non-interference) but positive duties (active intervention).

4.3 Political Representation

Article 330 provides for reserved seats for Scheduled Castes and Scheduled Tribes in the Lok Sabha, and Article 332 does the same in the State Legislative Assemblies. These provisions serve as instruments of political empowerment. Theoretically, they give these groups a “voice” so that they can raise their concerns in the policy-making process.

Although the temporary nature of reservation was discussed in the Constituent Assembly, social reality has made it long-term. The theoretical debate continues as to whether representational reservation effects real transfer of power or remains merely symbolic.

4.4 Reservation in Services and Efficiency

Article 335 requires that the claims of Scheduled Castes and Scheduled Tribes be taken into consideration consistently with the maintenance of efficiency of administration. This provision attempts to balance affirmative action with merit. Theoretically, it aligns with the concept of moderate affirmative action.

4.5 Institutional Mechanisms

Article 338 establishes the National Commission for Scheduled Castes, and Article 338A establishes the National Commission for Scheduled Tribes. These bodies perform functions of monitoring, investigation, and recommendation. Article 339 gives the Centre special control over the administration of tribal areas. Article 340 empowers the appointment of a commission to investigate the conditions of backward classes.

These institutions function as guardians of constitutional morality. Theoretically, they extend the system of checks and balances and hold the executive accountable.

5. Theoretical Critique and Limitations of Constitutional Efforts

The success of constitutional provisions has remained limited. The benefits of reservation have largely reached the upper strata within Scheduled Castes, while the most backward sub-groups continue to remain marginalised. Among tribal communities, the violation of land rights and displacement persist.

A theoretical critique is that the Constitution did not provide sufficient economic and cultural measures to dismantle structural inequalities. Political representation has often remained confined to elite sections.

Judicial interpretations have at times sought to restrict reservation and at other times strengthened it. The Indra Sawhney judgment fixed a 50 per cent ceiling, which remains a subject of theoretical debate.

Nevertheless, the Constitution has provided a framework without which progress toward social justice would have been impossible. Theoretically, these efforts constitute an example of transitional justice.

6. Major Judicial Decisions Related to Scheduled Castes and Scheduled Tribes in India (with Detailed Analysis)

Below is a detailed analysis of the major Supreme Court judgments concerning Articles 15(4), 16(4), 17, 335, 338 and issues of reservation, untouchability, creamy layer, sub-classification, and administrative efficiency. Each judgment is explained in substantial paragraphs covering its background, key holdings, constitutional significance, and impact on the rights of Scheduled Castes and Scheduled Tribes.

State of Madras v. Champakam Dorairajan, AIR 1951 SC 226

This judgment is regarded as the first major judicial landmark in the history of reservation in independent India. The Madras government had reserved seats in medical and engineering colleges on communal lines, allocating specific percentages to Brahmins, non-Brahmins, Scheduled Castes, and other communities. The Supreme Court held that such reservation violated Articles 15(1) and 29(2) of the Constitution. The Court ruled that the State could not discriminate against any citizen on grounds of religion, caste, race, or place of birth, even in the matter of admission to educational institutions. This decision created a serious constitutional crisis for the government, as the system of reservation became almost impossible to implement. As a direct consequence, the First Amendment to the Constitution was enacted and Article 15(4) was inserted, empowering the State to make special provisions for the socially and educationally backward classes as well as for the Scheduled Castes and Scheduled Tribes. This judgment is historically significant because it provided the clear constitutional foundation for affirmative action and became the original source of legitimacy for reservation in favour of Scheduled Castes and Scheduled Tribes.

M.R. Balaji v. State of Mysore, AIR 1963 SC 649

In this case, the State of Mysore had implemented reservation up to 68 per cent in engineering and medical colleges, covering Scheduled Castes, Scheduled Tribes, and other backward classes. The Supreme Court categorically held that reservation should not exceed 50 per cent, as any

higher percentage would destroy the fundamental right to equality. The Court further clarified that backwardness could not be determined solely on the basis of caste; both social and educational backwardness must be taken into account. This judgment attempted to place reservation policy within a balanced framework. In the context of Scheduled Castes and Scheduled Tribes, the decision is important because it prevented reservation from becoming unlimited and emphasised the need to maintain a balance between administrative efficiency and the rights of the general category. The 50 per cent ceiling laid down in this case has been treated as a foundational principle in numerous subsequent judgments.

Indra Sawhney v. Union of India (Mandal Commission Case), AIR 1993 SC 477; (1992) Supp (3) SCC 217

This is the most important and elaborate judgment in the history of reservation in India. Following the recommendations of the Mandal Commission, the Central Government had introduced 27 per cent reservation for Other Backward Classes. A nine-judge Constitution Bench of the Supreme Court laid down several significant principles. The Court accepted the 50 per cent ceiling on reservation as a general rule, while noting that it could be exceeded only in extraordinary circumstances. The most crucial contribution of the judgment was the introduction of the creamy layer principle, under which the affluent sections within the backward classes were excluded from the benefit of reservation. Reservation in promotions was not permitted at that time. With respect to Scheduled Castes and Scheduled Tribes, the Court clarified that these groups were already specially protected under the Constitution and the creamy layer principle was not applied to them at that stage (this position changed later). This judgment defines the theoretical limits of affirmative action and continues to form the basis of most contemporary debates on reservation.

M. Nagaraj v. Union of India, (2006) 8 SCC 212

In this case the Supreme Court examined the validity of reservation in promotions in detail. After the 77th, 81st, 82nd and 85th Constitutional Amendments, reservation in promotions had received legal backing. The Court upheld these amendments but imposed three mandatory

conditions. First, the State must prove the backwardness of the class concerned on the basis of quantifiable data. Second, the representation of that class in public services must be inadequate. Third, and most importantly, reservation must not affect administrative efficiency. This judgment is of great significance for Scheduled Castes and Scheduled Tribes because reservation in promotions is a major instrument of their upward social mobility. The Court laid special emphasis on the requirement of maintaining efficiency under Article 335.

Ashoka Kumar Thakur v. Union of India, (2008) 6 SCC 1

This case challenged the validity of 27 per cent reservation for Other Backward Classes in central educational institutions. The Supreme Court upheld the reservation but insisted on the strict application of the creamy layer principle. The Court observed that the purpose of reservation is social justice and not the grant of permanent privileges to any class. In the context of Scheduled Castes and Scheduled Tribes, the judgment clarified that reservation policies must be reviewed from time to time and the benefits must reach only those who genuinely need them. This decision strengthened the legitimacy of reservation in the field of education and remains relevant even today.

Jarnail Singh v. Lachhmi Narain Gupta, (2018) 10 SCC 396

This judgment is extremely important on the issues of reservation in promotions and the creamy layer. The Supreme Court clearly held that the creamy layer principle can also be applied to Scheduled Castes and Scheduled Tribes. The Court modified that part of the Nagaraj judgment which had stated that there was no need to prove backwardness in the case of SCs and STs. Now the State is required to demonstrate that the class concerned continues to be backward. This decision opened the way for distinguishing between the affluent sections and the genuinely needy sections within the Scheduled Castes. Many scholars regard this judgment as making the original objective of reservation—the redress of historical injustice—more effective.

Chebrolu Leela Prasad Rao v. State of Andhra Pradesh, (2020) 7 SCC 202

The Andhra Pradesh government had introduced 100 per cent reservation for Scheduled Tribes in teaching posts in scheduled areas. The Supreme Court declared this unconstitutional. The Court held that 100 per cent reservation violates Articles 14 and 16 and destroys the fundamental right to equality. While acknowledging the need for special protection of Scheduled Tribes, the Court made it clear that if there is no upper limit on reservation, the general category would be completely excluded. This judgment clarifies the limits of reservation in tribal areas and emphasises the adoption of a balanced approach.

State of Punjab v. Davinder Singh, (2024) INSC 614; 2024 SCC OnLine SC 1860

This is a recent and highly significant judgment. A seven-judge Constitution Bench overruled the decision in *E.V. Chinnaiah*. The Court categorically held that sub-classification within the Scheduled Castes is permissible. In other words, the State can provide greater reservation to those castes that, despite being in the SC list, are the most backward. This judgment is historic because it settled a long-standing debate on whether SCs and STs form a homogeneous class. States can now distribute reservation benefits in a more equitable manner. The decision marks a major step towards addressing internal inequalities within the Scheduled Castes.

State of Karnataka v. Appa Balu Ingale, (1995) Supp (4) SCC 695

This case contains an elaborate discussion on the social dimensions of untouchability. The Court held that untouchability is not merely individual behaviour but a collective social practice. Article 17 is not only a legal prohibition but a symbol of social revolution. The Court clarified that denying any person access to public places, temples or wells on the basis of caste constitutes a violation of Article 17. This judgment strengthens the interpretation of the Protection of Civil Rights Act and brings social ostracism within the ambit of the offence.

E.V. Chinnaiah v. State of Andhra Pradesh, (2005) 1 SCC 394

In this judgment the Supreme Court had held that the Scheduled Castes form a homogeneous class and the State cannot make sub-classification within them. The Court's reasoning was that

the Constitution has recognised the SCs as a single unit. This decision remained in force for nearly two decades and created difficulties for several States in providing additional benefits to the most backward castes within the SC list. In 2024 it was overruled by the decision in *State of Punjab v. Davinder Singh*. Nevertheless, from a historical perspective the judgment remains important because it shaped the debate on sub-classification for a long period.

Union of India v. Ramesh Ram, (2010) 7 SCC 234

In this decision the Supreme Court clarified that if a candidate belonging to a reserved category is selected in the general category on the basis of merit, he or she can still avail the benefit of the reserved seat. In other words, such a candidate will be counted against the general category and the reserved seat will remain available for another reserved category candidate. This principle is highly beneficial for candidates belonging to Scheduled Castes and Scheduled Tribes because it maximises the reach of reservation benefits.

Dr. Jaishri Laxmanrao Patil v. Chief Minister (Maratha Reservation Case), (2021) 8 SCC 1

In this judgment the Supreme Court declared the Maratha reservation in Maharashtra unconstitutional and reaffirmed the 50 per cent ceiling. The Court held that reservation exceeding 50 per cent is permissible only in extraordinary circumstances, and such circumstances do not ordinarily exist. Although reservation for Scheduled Castes and Scheduled Tribes is kept outside this ceiling, the judgment has a deep impact on the overall reservation framework.

Janhit Abhiyan v. Union of India (EWS Reservation), (2023) 5 SCC 1

In this decision the Supreme Court upheld 10 per cent reservation for Economically Weaker Sections. The Court observed that reservation need not be based solely on caste. Although the judgment primarily concerns the EWS category, it contains important observations on the overall ceiling of reservation and constitutional morality. Reservation for Scheduled Castes and

Scheduled Tribes has been kept distinct from this, yet the broader principles of affirmative action have been influenced by this decision.

B.K. Pavitra v. Union of India, (2019) 16 SCC 129

The law enacted by the Karnataka government regarding reservation in promotions was challenged. The Supreme Court upheld the law and held that the State had satisfied the conditions laid down in Nagaraj. The Court accepted the quantifiable data on backwardness and inadequate representation. This judgment clarifies the practical process of implementing reservation in promotions.

Chairman & Managing Director, Central Bank of India v. Central Bank of India SC/ST Employees Welfare Association, (2016) 13 SCC 1

In this decision the Supreme Court issued important guidelines on the benefits of reservation and the roster system. The Court clarified that the objective of reservation is not merely to increase numerical representation but to achieve genuine empowerment. Emphasis was placed on the correct implementation of the roster system and the filling of backlog vacancies.

Taken together, these judgments present the complete judicial framework for interpreting the constitutional efforts made for Scheduled Castes and Scheduled Tribes. They demonstrate that the courts have regarded reservation as an instrument of social justice while simultaneously laying down limits so that the fundamental right to equality remains protected.

7. Contemporary Relevance and Future Directions

Contemporary debates revolve around extending the period of reservation, sub-classification, and reservation on economic criteria. Theoretically, these debates risk diverting attention from the original constitutional objective—the redress of historical injustice.

Future directions require that, while preserving the original spirit of the Constitution, intra-group inequalities be addressed, land rights be strengthened, and cultural autonomy be protected. Quality interventions in education and health can make affirmative action meaningful.

The success of constitutional efforts ultimately depends on the transformation of social consciousness. Legal provisions are necessary but not sufficient.

8. Conclusion

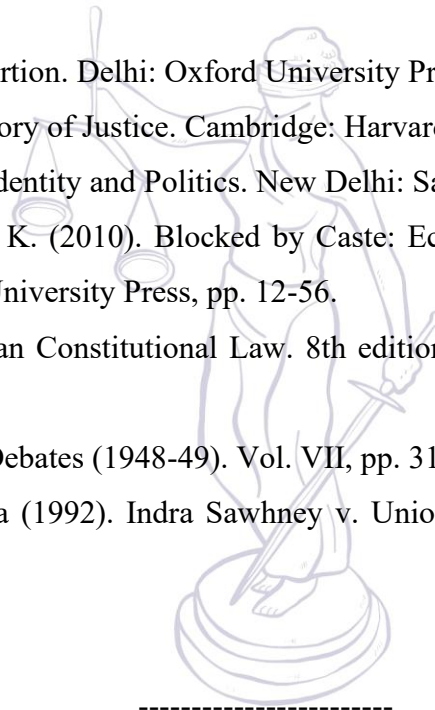
The constitutional efforts for Scheduled Castes and Scheduled Tribes in India represent a historic experiment in the direction of social justice. These efforts compel the state to move beyond formal equality toward substantive equality. Theoretical analysis demonstrates that the Constitution has constructed a three-dimensional framework of protection, representation, and empowerment. Ambedkarite constitutional morality is the soul of these provisions.

Although challenges of implementation persist, these provisions remain the foundation of Indian democracy. Continuous theoretical re-examination, judicial activism, and political will are essential for their fulfilment. This study emphasises that constitutional efforts are not merely legal texts but a living process of social transformation.

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Indian Journal of Contemporary
Legal and Social Issues