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HC strikes down Madhya Pradesh's 27% OBC quota law

Madhya Pradesh High Court declared the 2019 law increasing OBC reservation from 14% to 27% as unconstitutional.

The Madhya Pradesh Public Service (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Amendment Act, 2019, aimed to increase OBC reservation in the state.

KEY EXAM POINTS

- The **Madhya Pradesh High Court** struck down the **2019** State law that had increased reservation for the **Other Backward Classes (OBC)** category from **14%** to **27%**.
- The court upheld the previous **14%** limit for **OBC reservation** in the state.
- The **High Court** ordered the filling of the remaining **13%** of posts as **unreserved**.
- A Division Bench of Justices **Anand Pathak** and **Vinay Saraf** delivered the **159-page order** in **Jabalpur**.
- The court ruled that the government could not demonstrate "**extraordinary conditions or emergent situations**" to breach the **50% ceiling** on reservation.
- The judgment followed years of hearings on petitions filed by students from **unreserved categories** challenging the **Amendment Act** of **August 2019**.

DID YOU KNOW..!?

The **Supreme Court**, in the **1992** **Indra Sawhney vs Union of India** case (**Mandal Commission case**), capped **reservations** at **50%**.

Articles 15(4) and 16(4) of the **Indian Constitution** empower the State to make special provisions for the advancement of any **socially and educationally backward classes** of citizens.

The **103rd Constitutional Amendment Act** of **2019** introduced **10% reservation** for **Economically Weaker Sections (EWS)** in government jobs and educational institutions.

High Courts in India are constitutional courts established under **Article 214**, possessing the power of **judicial review**.

Judicial review is the power of the judiciary to examine the **constitutionality** of **legislative enactments** and **executive orders** of both the Central and State governments.

The concept of **reservation** in India is a form of **affirmative action** aimed at ensuring representation for historically **disadvantaged communities**.

The **Supreme Court** has consistently reiterated the **50% ceiling** on reservations, allowing exceptions only in "**extraordinary and exceptional circumstances**."

REVISION FLASHCARD

Madhya Pradesh High Court struck down 27% OBC quota, upholding the 50% reservation ceiling established in the Indra Sawhney case.

Syllabus Relevance: High

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