IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION
7-JUDGE CONSTITUTION BENCH

CIVIL APPEAL NO. 2317 OF 2011

STATE OF PUNJAB & ORS. ... APPELLANTS

VERSUS

DAVINDER SINGH & ORS. ... RESPONDENTS

Citation: 2024 INSC 562 | 2024 (10) SCALE 1	**Decided On:** August 01, 2024
Coram: D.Y. Chandrachud (CJI), B.R. Gavai, Vikram Nath, Bela M. Trivedi, Pankaj Mithal, Manoj Misra, Satish Chandra Sharma, JJ.	**Bench Strength:** 7-Judge Constitution Bench (6:1 Majority)

JUDICIAL SUMMARY & OPERATIVE RATIO DECIDENDI

1. Overruling of E.V. Chinnaiah (2005): The 7-Judge Constitution Bench by a 6:1 majority overruled the 5-Judge Bench judgment in *E.V. Chinnaiah v. State of Andhra Pradesh* (2005) 1 SCC 394, holding that Scheduled Castes are not a single, homogeneous unit that cannot be sub-classified.

2. Constitutional Validity of Sub-Classification: The Court held that Article 341 does not create an unalterable monolith. States possess legislative competence under Articles 15(4) and 16(4) to provide sub-classification and preferential treatment to more backward castes within the Scheduled Castes list, provided it is supported by empirical data.

3. Substantive Equality & Non-Tinkering: Sub-classification does not constitute tinkering with or altering the Presidential List under Article 341(2). The State cannot exclude any caste from the list entirely or allocate 100% reservation to any single sub-class, thereby ensuring genuine intra-group equity.

4. Application of Creamy Layer Principle: Four concurring judges explicitly observed that the 'creamy layer' principle must be applied to Scheduled Castes and Scheduled Tribes to ensure that affirmative action benefits reach the genuinely oppressed rather than being monopolized by advanced members.

5. Operative Order: The appeals preferred by the State of Punjab and other State Governments were allowed, upholding the constitutional validity of state enactments granting preferential quota allocations to Balmikis and Mazhabi Sikhs.

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