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INTERPRETING ARTICLE 16(4): JUDICIAL TRENDS AND THEIR IMPACT ON HARYANA'S RESERVATION POLICIES

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ABSTRACT

*Article 16(4) of the Constitution of India, empowering the State to reserve appointments and posts for backward classes inadequately represented in public services, has generated one of the most doctrinally intricate and continuously evolving bodies of jurisprudence in Indian constitutional law. This paper undertakes a critical, doctrinal examination of the judicial trends shaping Article 16(4) and its constitutional family — Articles 16(4A) and 16(4B), introduced through the Seventy-Seventh and Eighty-First Amendments to address promotion and backlog reservation respectively — tracing the jurisprudential arc from *Indra Sawhney v. Union of India*'s foundational fifty percent ceiling and creamy-layer principles, through *M. Nagaraj v. Union of India*'s triple-test requirement for promotion reservation, to the *Jarnail Singh* line of cases relaxing the quantifiable-data burden specifically for Scheduled Caste and Scheduled Tribe backwardness, and the Supreme Court's more recent engagement with the Economically Weaker Sections quota in *Janhit Abhiyan v. Union of India* and Scheduled Caste sub-classification in *State of Punjab v. Davinder Singh*. The paper then undertakes a detailed case study of Haryana, examining how this evolving jurisprudence has directly shaped, constrained and, on several occasions, invalidated the State's reservation policy choices — including the Punjab and Haryana High Court's 2023 invalidation of the Haryana State Employment of Local Candidates Act, 2020's domicile-based private-sector quota, the ongoing litigation in *Kamaljeet Singh v. State of Haryana* concerning the twenty percent Scheduled Caste promotion quota in Group A and B posts, the High Court's November 2025 ruling that promotion reservation cannot rest on executive instruction absent corresponding service-rule amendment, and its October 2025 holding that Backward Class status is portable only within the state of origin. The paper argues that Haryana's reservation policy trajectory illustrates both the doctrinal coherence and the practical fragility of the Article 16(4) jurisprudential*

architecture: coherent, in that the courts have applied a broadly consistent set of procedural and evidentiary safeguards across diverse reservation contexts; fragile, in that State administrative practice has repeatedly fallen short of these safeguards, generating a persistent cycle of policy invalidation and re-litigation. The paper concludes with recommendations for strengthening Haryana's compliance architecture going forward.

Keywords: Article 16(4); reservation; Indra Sawhney; M. Nagaraj; Jarnail Singh; Haryana; backward classes; India.

1. INTRODUCTION

Article 16(4) of the Constitution of India provides that nothing in the general guarantee of equality of opportunity in public employment under Article 16 “shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.”¹ Though textually a brief, single-sentence enabling provision, Article 16(4) has generated over seven decades of continuously evolving, doctrinally intricate jurisprudence, addressing questions ranging from the permissible extent of reservation, the definition and identification of backwardness, the evidentiary burden required to justify reservation, and, following successive constitutional amendments, the extension of reservation logic to promotion (Article 16(4A)) and backlog vacancies (Article 16(4B)).² This paper undertakes a critical, doctrinal examination of the principal judicial trends shaping this jurisprudential architecture, and, distinctively, traces their direct and continuing impact on the reservation policy choices of a single State — Haryana — whose recent litigation history offers an unusually rich and current illustration of how Supreme Court doctrine translates, and frequently fails to translate cleanly, into state-level administrative practice.

The foundational modern statement of Article 16(4) doctrine remains the nine-judge bench decision in *Indra Sawhney v. Union of India* (1992), which upheld twenty-seven percent reservation for Other Backward Classes while establishing what has become the single most litigated numerical limit in Indian constitutional law: a general ceiling restricting total reservation to fifty percent of available posts, alongside the requirement that the “creamy layer” — the relatively advantaged segment within an otherwise backward class — be excluded from

¹Constitution of India, art. 16(4).

²Constitution of India, arts. 16(4A), 16(4B).

reservation benefits.³ Subsequent constitutional amendments and judicial decisions have both extended and complicated this foundational framework: the Seventy-Seventh Amendment introduced Article 16(4A) to permit reservation in promotion, a power the Supreme Court in *M. Nagaraj v. Union of India* (2006) subjected to a demanding “triple test” requiring the State to demonstrate backwardness, inadequate representation, and the maintenance of administrative efficiency before invoking the provision.⁴ The subsequent *Jarnail Singh* line of cases progressively clarified and, in material respects, relaxed this evidentiary burden specifically for Scheduled Castes and Scheduled Tribes, while the 2022 decision in *Janhit Abhiyan v. Union of India* upheld the Economically Weaker Sections quota by treating it as a constitutional category wholly outside the Article 16(4) framework, thereby sidestepping rather than resolving the continuing fifty percent ceiling controversy.⁵

Haryana's reservation policy history offers a particularly instructive lens through which to examine how this doctrinal evolution operates in state-level practice. Within the past five years alone, Haryana's reservation choices have generated at least four distinct and significant strands of litigation before the Punjab and Haryana High Court: the 2023 invalidation of the State's domicile-based seventy-five percent private-sector employment quota; ongoing 2025 litigation in *Kamaljeet Singh v. State of Haryana* concerning the twenty percent Scheduled Caste promotion quota in Group A and B State services; a November 2025 ruling invalidating promotion reservation implemented through executive instruction without corresponding service-rule amendment; and an October 2025 ruling on the state-specific, non-portable character of Backward Class status.⁶ This paper examines these developments as a coherent case study in the practical operation of Article 16(4) jurisprudence, arguing that Haryana's experience illustrates both the doctrinal coherence the Supreme Court has achieved across diverse reservation contexts and the persistent, recurring gap between that doctrine and state administrative compliance.

1.1 Statement of the Problem

India's Article 16(4) jurisprudence has developed a sophisticated, multi-layered set of procedural and evidentiary safeguards governing State reservation policy, spanning entry-level reservation, promotion reservation, backlog vacancies and, most recently, sub-classification within reserved categories. Notwithstanding this doctrinal sophistication, State-level

³*Indra Sawhney v. Union of India*, AIR 1993 SC 477.

⁴*M. Nagaraj v. Union of India*, (2006) 8 SCC 212.

⁵*Jarnail Singh v. Lachhmi Narain Gupta*, (2018) 10 SCC 396 (“*Jarnail Singh I*”); *Jarnail Singh v. Lachhmi Narain Gupta*, 2022 SCC OnLine SC 1287 (“*Jarnail Singh II*”); *Janhit Abhiyan v. Union of India*, (2023) 5 SCC 1.

⁶Discussed in detail in Part 3 below.

implementation, as Haryana's recent litigation history illustrates, continues to generate significant compliance failures, raising the question whether the judicial trends examined in this paper have achieved genuine practical traction at the state administrative level, or whether a persistent implementation gap continues to undermine the coherence of India's reservation jurisprudence.

1.2 Objectives of the Study

- To trace the judicial evolution of Article 16(4) and its constitutional family from *Indra Sawhney* through *Nagaraj*, the *Jarnail Singh* line of cases, *Janhit Abhiyan* and *Davinder Singh*.
- To critically analyse the doctrinal safeguards — the fifty percent ceiling, the creamy-layer principle, the *Nagaraj* triple test, and the quantifiable-data requirement — these decisions have established.
- To undertake a detailed case study of Haryana's reservation policy litigation, examining how these judicial trends have directly shaped, constrained and invalidated State practice.
- To assess the extent to which Haryana's experience reflects broader, generalisable patterns of implementation gap in Article 16(4) jurisprudence.
- To recommend reforms strengthening Haryana's, and by extension other States', compliance architecture for reservation policy under Article 16(4).

1.3 Research Questions

- How has judicial interpretation of Article 16(4) and its constitutional family evolved from *Indra Sawhney* to the present, and what doctrinal safeguards does this evolution impose on State reservation policy?
- How has this jurisprudence directly shaped Haryana's reservation policy choices, and what does the State's litigation history reveal about the practical adequacy of its compliance with the relevant doctrinal safeguards?
- What common patterns, if any, emerge across Haryana's distinct reservation-related litigation strands — domicile reservation, promotion reservation, and backward-class portability?
- What reforms would strengthen Haryana's, and comparable States', capacity to implement reservation policy consistently with prevailing Article 16(4) jurisprudence?

1.4 Research Methodology

This study adopts a doctrinal legal research methodology, involving critical analysis of Article 16(4) and its constitutional family, the relevant Supreme Court jurisprudence, and Haryana-specific Punjab and Haryana High Court rulings, supplemented by secondary literature and contemporaneous reporting. The case-study method is used to ground the doctrinal analysis in concrete, current state-level practice.

1.5 Scope and Limitations

The paper is confined to the judicial interpretation of Article 16(4) and its constitutional family as applied to public employment reservation, with Haryana serving as the principal case study. It does not undertake detailed analysis of educational reservation under Article 15(4)/15(5), nor comprehensive comparative analysis of other States' reservation litigation beyond illustrative reference. Case law and developments are current as of August 2026.

2. LITERATURE REVIEW

2.1 Indra Sawhney: The Foundational Framework

Indra Sawhney v. Union of India, decided by a nine-judge bench in 1992 in response to the political controversy surrounding the Mandal Commission's recommendations, remains the definitive constitutional statement on Article 16(4).⁷ The Court upheld twenty-seven percent reservation for Other Backward Classes, while articulating several doctrinal propositions that continue to structure the field: that backwardness under Article 16(4) must be assessed through social and educational, not merely economic, criteria; that a “creamy layer” within an otherwise backward class must be excluded from reservation benefits to ensure the provision serves genuinely disadvantaged persons; and that total reservation should not, save in extraordinary circumstances left undefined by the Court, exceed fifty percent of available posts.⁸ Commentary on the fifty percent ceiling's doctrinal status has long noted the ambiguity surrounding what might constitute the “extraordinary circumstances” justifying departure from it, with Gautam Bhatia's influential critique arguing that if Article 16 is properly understood as embodying a substantive rather than formal conception of equality, “any figure that accurately reflects the extent of group disadvantage in any given context is ‘more reasonable’ than a flat figure of 50 percent.”⁹

⁷Indra Sawhney, *supra* note 3.

⁸LawBhoomi, “Indra Sawhney vs Union of India” (2026).

⁹“An Opportunity for the Court to Reconsider the 50 Percent Reservation Ceiling of ‘Indra Sawhney’,” Supreme

2.2 The Ceiling in Contemporary Litigation

The fifty percent ceiling's continuing vitality is amply demonstrated by a wave of recent state-level litigation. The Patna High Court, in *Gaurav Kumar v. State of Bihar* (20 June 2024), struck down Bihar's attempt to raise total reservation from fifty to sixty-five percent for Scheduled Castes, Scheduled Tribes, Extremely Backward Classes and Other Backward Classes, relying squarely on *Indra Sawhney's* ceiling; the State's appeal remained pending before the Supreme Court as of this paper's preparation.¹⁰ Maharashtra's attempt to grant sixteen percent reservation to the Maratha community, raising total reservation to sixty-eight percent, met a similar fate, as did a comparable Chhattisgarh enactment raising total reservation to fifty-eight percent, struck down by the Chhattisgarh High Court in September 2022.¹¹ Karnataka's 2023 legislation enhancing Scheduled Caste and Scheduled Tribe reservation, which combined with existing Other Backward Classes reservation to produce a total exceeding fifty percent, has similarly faced constitutional challenge before the Karnataka High Court.¹² This pattern of near-uniform judicial invalidation of ceiling-breaching state legislation underscores the continuing doctrinal force of *Indra Sawhney's* numerical limit, notwithstanding persistent academic critique of its rigidity.

2.3 M. Nagaraj and the Triple Test for Promotion Reservation

The Seventy-Seventh Constitutional Amendment's introduction of Article 16(4A), enabling reservation in promotion for Scheduled Castes and Scheduled Tribes, was subjected to searching constitutional review in *M. Nagaraj v. Union of India*, in which a five-judge bench upheld the amendment's validity while imposing a demanding evidentiary precondition: before invoking Article 16(4A), the State must collect quantifiable data demonstrating the backwardness of the class, the inadequacy of its representation in the relevant cadre, and the continued maintenance of overall administrative efficiency notwithstanding the reservation.¹³ This "triple test" has proved to be one of the most consequential and, in practice, most frequently litigated evidentiary thresholds in subsequent reservation jurisprudence, precisely because state governments have often struggled to compile and defend the quantifiable data Nagaraj demands.

Court Observer (31 August 2024), quoting Gautam Bhatia.

¹⁰Supreme Court Observer, *supra* note 8.

¹¹"Telangana Reservation Policy and the 50% Ceiling," *Drishti Judiciary* (2025-26).

¹²"Karnataka HC Issues Notice on PIL Challenging SC/ST Reservation Act, 2023," *Deccan Herald* (2023).

¹³Nagaraj, *supra* note 4.

2.4 The Jarnail Singh Line: Relaxation and Clarification

The Jarnail Singh cases represent a significant doctrinal refinement of Nagaraj's evidentiary burden. In *Jarnail Singh v. Lachhmi Narain Gupta* (2018) (“Jarnail Singh I”), the Supreme Court held that the requirement to demonstrate backwardness through quantifiable data need not apply to Scheduled Castes and Scheduled Tribes specifically, since their backwardness is presumed by virtue of their constitutional listing itself — a presumption the Court found consistent with the historical and structural rationale underlying their inclusion in the Presidential Lists under Articles 341 and 342.¹⁴ The requirement to demonstrate inadequate representation and to maintain administrative efficiency, however, remained undisturbed. *Jarnail Singh v. Lachhmi Narain Gupta* (2022) (“Jarnail Singh II”) further clarified the unit for assessing inadequate representation, holding that state-wide cadre-level data, rather than more granular unit-wise or post-wise data, would generally suffice to satisfy this requirement — a clarification of considerable practical significance given the administrative burden granular data collection would otherwise impose.¹⁵

2.5 Janhit Abhiyan and the EWS Sidestep

The Supreme Court's 2022 decision in *Janhit Abhiyan v. Union of India*, upholding the One Hundred and Third Constitutional Amendment's introduction of a ten percent Economically Weaker Sections quota under the newly inserted Articles 15(6) and 16(6), addressed the fifty percent ceiling question only obliquely.¹⁶ Rather than confronting whether the EWS quota, when combined with existing Article 16(4) reservation, breaches *Indra Sawhney*'s ceiling, the majority concluded that the ceiling applies specifically to backward-class reservation under Article 16(4), and that the EWS quota, operating through a distinct constitutional provision addressed to an economically defined category outside the traditional backward-class framework, simply falls outside the ceiling's scope altogether.¹⁷ Commentary has noted the doctrinal tension this reasoning creates: the EWS quota revives, through explicit constitutional amendment, the economic-criterion approach to reservation *Indra Sawhney* had expressly rejected as inconsistent with Article 16(4)'s backward-class framework, raising an unresolved question whether India's reservation architecture now operates under two structurally distinct,

¹⁴Jarnail Singh I, supra note 5.

¹⁵Jarnail Singh II, supra note 5.

¹⁶Janhit Abhiyan, supra note 6.

¹⁷Supreme Court Observer, supra note 8 (“the Court skirted around the issue by concluding that the 50 percent ceiling only applied to backward classes reservations”).

and potentially cumulatively unlimited, constitutional logics.¹⁸

2.6 Davinder Singh and Sub-Classification

The Supreme Court's 2024 decision in *State of Punjab v. Davinder Singh*, permitting State-level sub-classification of Scheduled Castes for graduated reservation benefits, represents the most recent significant addition to this jurisprudential family, though it operates formally through Articles 15(4) and 16(4) rather than introducing a wholly new constitutional category as the EWS amendment did.¹⁹ This paper's companion analysis of *Davinder Singh* and its Haryana implementation addresses the sub-classification dimension in greater detail; the present paper's focus is on the broader Article 16(4) family's application to Haryana's non-sub-classification reservation litigation, examined in Part 3.

2.7 Haryana-Specific Literature and Reporting

Haryana's reservation litigation has generated substantial contemporaneous legal reporting, though comparatively limited systematic doctrinal analysis. Commentary on the Punjab and Haryana High Court's invalidation of the Haryana State Employment of Local Candidates Act, 2020 situates the ruling within the broader domicile-reservation debate, noting the State Government's unsuccessful invocation of Article 16(4) itself as a justification for the private-sector local-candidate quota — an invocation the High Court rejected as resting on a fundamental misapplication of a provision addressed to public, not private, employment.²⁰ More recent reporting on the *Kamaljeet Singh* litigation and the November 2025 promotion-reservation ruling remains largely confined to contemporaneous case reporting rather than sustained academic commentary, reflecting these decisions' recency.²¹

2.8 Research Gap

Existing literature engages substantially with the doctrinal evolution of Article 16(4) jurisprudence in the abstract, or with individual Haryana rulings as discrete items of contemporaneous legal reporting, without a systematic, integrated analysis treating Haryana's recent litigation history as a coherent case study in the practical operation, and persistent

¹⁸“*Indra Sawhney v. Union of India* (1992) Explained,” Model Diplomat (22 June 2026).

¹⁹The *State of Punjab & Ors. v. Davinder Singh & Ors.*, 2024 INSC 562.

²⁰“Domicile Reservations: Challenges and Alternatives,” Drishti IAS (2024), discussing the Haryana State Employment of Local Candidates Act, 2020.

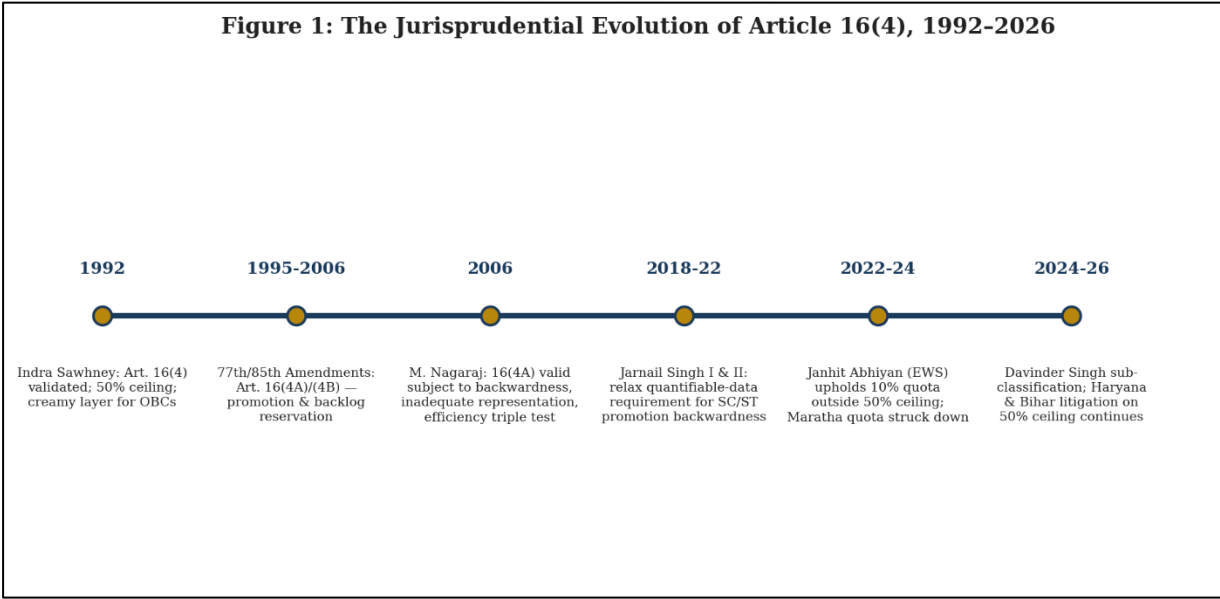
²¹*Indian Kanoon*, *Kamaljeet Singh and Others v. State of Haryana and Others* (8 April 2025); The Tribune, “Reservation in Promotion Without Rule Amendment Invalid: Punjab and Haryana High Court” (5 November 2025).

implementation gaps, of this jurisprudential architecture. This paper addresses that gap, offering an integrated critical account current through 2026.

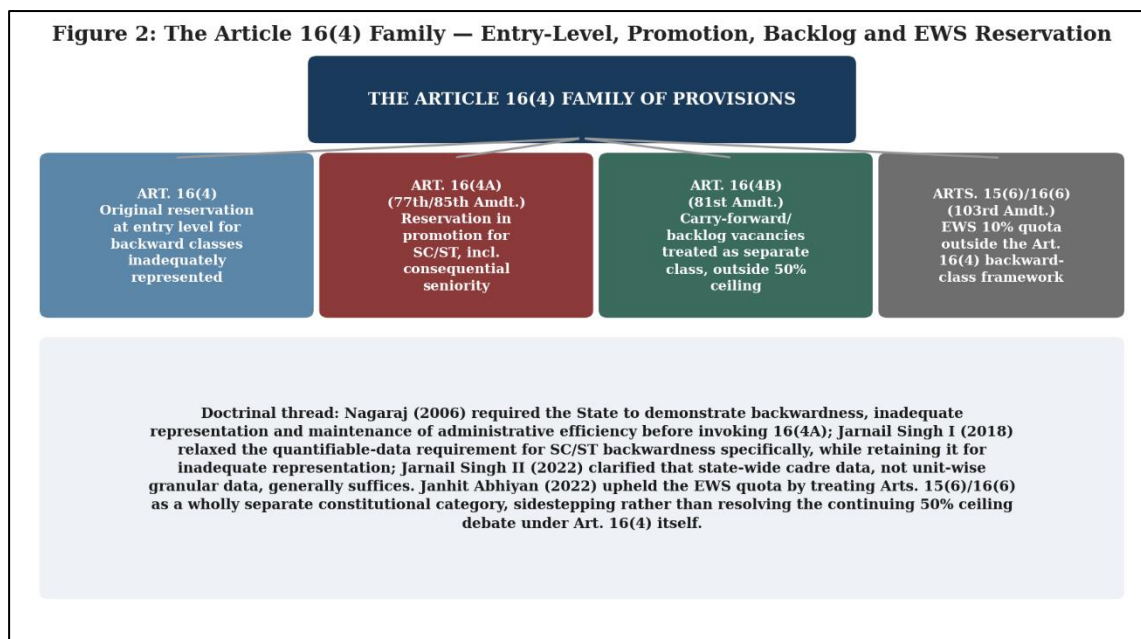
3. ANALYSIS AND DISCUSSION

3.1 The Article 16(4) Family: A Structural Overview

As illustrated in Figure 2, Article 16(4) has, over seven decades, given rise to a family of related constitutional provisions addressing distinct dimensions of the reservation question: entry-level reservation under the original Article 16(4); promotion reservation under Article 16(4A), introduced by the Seventy-Seventh Amendment and refined by the Eighty-Fifth Amendment to expressly include consequential seniority; backlog or carry-forward vacancy reservation under Article 16(4B), introduced by the Eighty-First Amendment to exempt such vacancies from the ordinary fifty percent ceiling calculation; and, more recently, the Economically Weaker Sections quota under Articles 15(6) and 16(6), operating as a structurally distinct category outside the traditional backward-class framework altogether.²² As Figure 1 traces, judicial interpretation of this family has evolved along a broadly coherent doctrinal thread — from *Indra Sawhney*'s foundational ceiling and creamy-layer principles, through Nagaraj's triple test for promotion reservation, to the *Jarnail Singh* cases' calibrated relaxation of that test's evidentiary burden specifically for SC/ST backwardness — even as the EWS quota's 2022 validation in *Janhit Abhiyan* introduced a structurally distinct category whose relationship to this coherent thread remains doctrinally unresolved.



²²Constitution of India, arts. 16(4), 16(4A), 16(4B), 15(6), 16(6).



3.2 Case Study: Haryana's Domicile Reservation and Its Invalidation

As illustrated in Figure 3, the first strand of Haryana's recent Article 16(4)-related litigation concerns the Haryana State Employment of Local Candidates Act, 2020, which mandated seventy-five percent reservation for Haryana domiciles in private-sector employment. The Punjab and Haryana High Court struck down this legislation in its entirety in 2023, holding that it violated Articles 14 and 19 of the Constitution, and rejecting the State Government's argument that Article 16(4) supplied constitutional authority for the measure.²³ This rejection reflects a fundamental category error the State Government's defence embodied: Article 16(4), by its express terms, addresses “appointments or posts” in “the services under the State” — that is, public employment — and supplies no textual or doctrinal basis for extending reservation logic to private-sector employment relationships governed by wholly different constitutional provisions, principally Article 19(1)(g)'s guarantee of freedom of trade and occupation.²⁴ The episode illustrates a recurring pattern this paper's analysis identifies across Haryana's litigation history: state administrative practice has, on several occasions, invoked Article 16(4) doctrine in contexts the provision's settled jurisprudence does not support, generating predictable judicial invalidation.

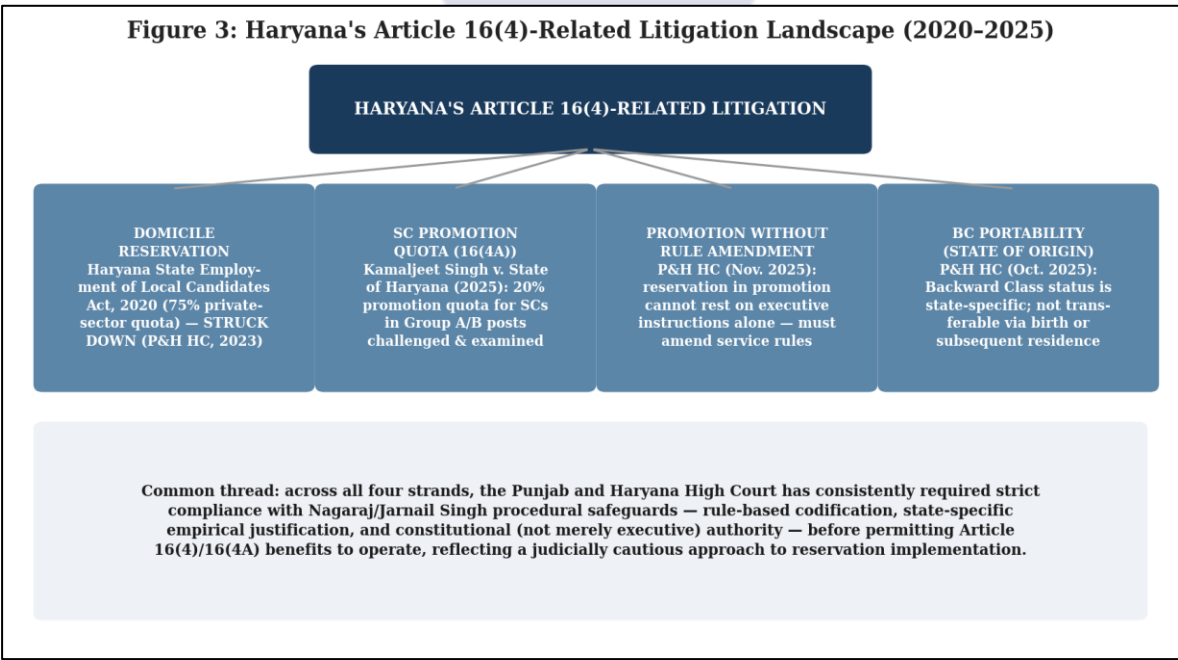
3.3 Case Study: The Kamaljeet Singh Promotion-Quota Litigation

A second and doctrinally more central strand concerns Haryana's Scheduled Caste promotion

²³PWOnlyIAS, “Haryana Private Sector Job Reservation: Constitutional Implications and Drawbacks” (2024).

²⁴Drishti IAS, *supra* note 15.

reservation, examined in the ongoing Kamaljeet Singh v. State of Haryana litigation before the Punjab and Haryana High Court. The case concerns the State Government's 2025 decision, exercised under Article 16(4A), to grant twenty percent promotion-quota benefit to Scheduled Caste employees in Group A and B posts, a decision explicitly grounded in the Jarnail Singh line of cases and informed by the findings of the Raghvendra Rao Committee, constituted in 2013 pursuant to the Supreme Court's decision in M. Nagaraj to assess the backwardness and inadequacy of Scheduled Caste representation in State Government and public-sector-undertaking promotional posts.²⁵ This litigation illustrates a considerably more doctrinally engaged instance of state compliance than the domicile-reservation episode: Haryana's 2025 promotion-quota decision explicitly traces its evidentiary foundation to a dedicated Nagaraj-mandated Committee process spanning over a decade, reflecting genuine, if protracted, engagement with the triple-test framework rather than the category error evident in the domicile-reservation context.



3.4 Case Study: Promotion Reservation Without Rule Amendment

A third, more recent strand concerns the Punjab and Haryana High Court's November 2025 ruling holding that reservation in promotion cannot be implemented merely through executive instructions or judicial observations, absent a corresponding amendment to the statutory service rules governing the relevant cadre.²⁶ Justice Sandeep Moudgil's ruling, declaring promotions

²⁵Kamaljeet Singh and Others v. State of Haryana and Others, decided 8 April 2025 (Punjab & Haryana High Court), discussing the Raghvendra Rao Committee constituted pursuant to Nagaraj, *supra* note 4.
²⁶“Reservation in Promotion Without Rule Amendment Invalid: Punjab and Haryana High Court,” The Tribune

extended without such rule amendment “ultra vires and contrary to the service rules,” and directing retrospective promotion of the general-category employees who had been bypassed, expressly grounded its reasoning in Article 16(4A)'s textual structure: while the provision empowers the State to provide promotion reservation including consequential seniority, the Court held, “such reservation must arise from specific provisions or rules framed by the state to give effect to this objective” rather than operating automatically or through informal administrative practice.²⁷ This ruling identifies a distinct and procedurally significant compliance failure: even where a State's underlying empirical justification for promotion reservation may be sound, as Haryana's Nagaraj Committee process arguably demonstrates in the Kamaljeet Singh context, the reservation's practical implementation still requires formal, rule-based codification — a procedural safeguard the November 2025 ruling suggests Haryana's administrative practice had, in at least this instance, failed to satisfy.

3.5 Case Study: Backward Class Portability and State-Specific Status

A fourth strand, while arising from a Punjab rather than a Haryana-specific dispute, directly implicates the shared Punjab and Haryana High Court's jurisdiction and its broader jurisprudential approach to backward-class reservation across the joint jurisdiction. In *Vinay Sahotra v. The Punjab State Power Corporation Limited*, the High Court held that reservation benefits under the Backward Class category can be claimed only in the claimant's state of origin — defined by reference to the permanent abode of the claimant's parents at the time of the relevant notification — and not in the state of the claimant's birth or subsequent residence, rejecting the petitioner's attempt to claim Backward Class reservation in Punjab on the basis of residence rather than ancestral origin in Himachal Pradesh.²⁸ This ruling, while not directly concerning Haryana's own reservation policy, establishes a jurisdiction-wide principle of direct relevance to Haryana given the shared High Court and the substantial inter-state migration between Punjab, Haryana and neighbouring states: Backward Class status, the Court held, is inherently state-specific, reflecting the historically and socially contextual character of backwardness determinations rather than a portable, individual-level characteristic transferable across state boundaries through mere relocation.²⁹

(5 November 2025).

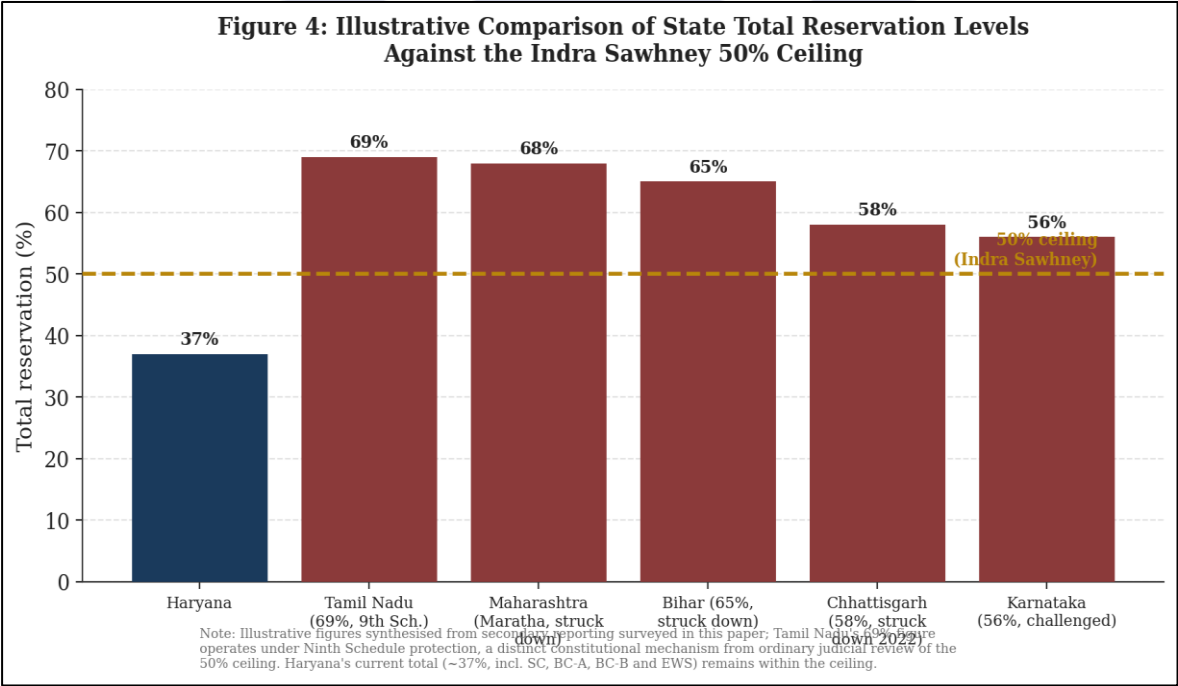
²⁷Id.

²⁸*Vinay Sahotra v. The Punjab State Power Corporation Limited*, discussed in “Reservation Under Backward Class Category Can Be Claimed Only in State of Origin,” LiveLaw (14 October 2025).

²⁹Raw Law, “Backward Class Status Is State-Specific, Not Migrant-Transferable” (15 October 2025).

3.6 Synthesising the Pattern: Coherence and Compliance Gap

Read together, these four strands of Haryana-connected litigation reveal a consistent judicial methodology applied across genuinely diverse reservation contexts: the Punjab and Haryana High Court has, in each instance, insisted on strict doctrinal fidelity to the specific textual and evidentiary requirements the Supreme Court's Article 16(4) family jurisprudence establishes, declining to permit administrative convenience, executive informality, or category misapplication to substitute for genuine compliance. This consistency reflects doctrinal coherence at the appellate level. Yet the recurring pattern of invalidation — domicile reservation struck down for category error, promotion reservation invalidated for procedural informality, backward-class claims rejected for portability misunderstanding — simultaneously reveals a persistent compliance gap at the state administrative level, in which Haryana's reservation policy choices have repeatedly fallen short of the doctrinal safeguards Indra Sawhney, Nagaraj and Jarnail Singh established, notwithstanding those safeguards' by-now well-settled character.



3.7 Comparative Snapshot: Haryana's Article 16(4)-Related Litigation

Table 1 below summarises the four litigation strands examined in this Part.

Litigation Strand	Core Issue	Outcome
Domicile reservation (2020 Act)	75% private-sector quota justified by misapplied invocation of Art.	Struck down (P&H HC, 2023) — category error, Art. 16(4) inapplicable

Litigation Strand	Core Issue	Outcome
	16(4)	to private employment
Kamaljeet Singh (SC promotion quota)	20% promotion quota for SCs in Group A/B, grounded in Nagaraj-mandated Committee findings	Under judicial examination (2025) — evidentiary foundation more robust than other strands
Promotion without rule amendment	Promotion reservation implemented via executive instruction, absent service-rule amendment	Invalidated (P&H HC, Nov. 2025) — procedural non-compliance with Art. 16(4A)
Backward Class portability (Vinay Sahotra)	Whether BC status transfers across states via residence or birth	BC status held state-specific; claim rejected (P&H HC, Oct. 2025)

Table 1: Comparative snapshot of Haryana's four Article 16(4)-related litigation strands (2020-2025).

4. FINDINGS

- The Article 16(4) family of provisions has developed a doctrinally coherent, if increasingly complex, jurisprudential architecture across Indra Sawhney, Nagaraj, the Jarnail Singh cases, Janhit Abhiyan and Davinder Singh, with each successive decision refining rather than fundamentally destabilising the framework established by its predecessors, save for the EWS quota's structurally distinct treatment in Janhit Abhiyan.
- Haryana's reservation litigation history reveals a recurring compliance gap between this settled doctrinal architecture and actual state administrative practice, evident across four distinct litigation strands spanning domicile reservation, promotion-quota implementation, procedural codification, and backward-class portability.
- The Haryana State Employment of Local Candidates Act, 2020's invalidation reflects a fundamental category error — invoking Article 16(4)'s public-employment-specific reservation logic to justify a private-sector quota — rather than a genuine evidentiary or procedural failure of the kind the promotion-reservation litigation illustrates.
- The Kamaljeet Singh litigation's grounding in the decade-long Raghvendra Rao Committee process demonstrates that Haryana has, in at least this instance, engaged

genuinely and substantively with the Nagaraj triple-test framework, suggesting the State's compliance failures are not uniform across all reservation contexts.

- The November 2025 promotion-reservation ruling identifies a distinct, purely procedural compliance failure — the absence of formal service-rule codification — that persists even where the underlying empirical justification for reservation may be evidentially sound, indicating that procedural and substantive compliance with Article 16(4A) require independent attention.
- The October 2025 backward-class portability ruling, while not Haryana-specific, establishes a jurisdiction-wide principle of direct practical relevance given the shared Punjab and Haryana High Court and substantial inter-state migration within the region, underscoring those states' shared exposure to backward-class classification disputes.
- The consistent judicial methodology the Punjab and Haryana High Court has applied across these diverse strands — strict doctrinal fidelity to the Supreme Court's established Article 16(4) family safeguards — reflects appellate-level doctrinal coherence, even as the recurring pattern of invalidation reveals a persistent administrative-level implementation gap this paper's recommendations address.

5. RECOMMENDATIONS

5.1 Institutional and Procedural Reforms

- Haryana should establish a standing, permanently constituted reservation-compliance review body, distinct from ad hoc committees such as the Raghvendra Rao Committee, tasked with continuously monitoring the State's reservation policies against evolving Article 16(4) family jurisprudence and flagging compliance gaps before they mature into litigation.
- Any future promotion-reservation decision should be accompanied, from the outset, by simultaneous service-rule amendment, rather than proceeding through executive instruction alone, to avoid the procedural invalidity the November 2025 ruling identified.
- The State Government should conduct a comprehensive legal audit of existing reservation policies across all departments and categories, assessing each against the specific evidentiary and procedural requirements applicable to its constitutional basis (Article 16(4), 16(4A) or 16(4B)), to identify and remediate compliance gaps proactively rather than reactively through litigation.

5.2 Legal and Drafting Reforms

- Future Haryana legislation or executive action addressing local-candidate preference in employment should be clearly and narrowly confined to genuinely public-sector contexts falling within Article 16(4)'s textual scope, avoiding the category error that led to the 2020 Act's invalidation, or should be redesigned around constitutionally appropriate alternative mechanisms if private-sector local-employment objectives are to be pursued.
- Haryana's Backward Class certification and verification processes should be updated to reflect the state-specific, origin-based portability principle the Punjab and Haryana High Court has now clearly established, with public guidance issued to prospective claimants and certifying authorities to reduce future disputes of the kind litigated in Vinay Sahotra.

5.3 Inter-State and National Coordination

- Given the shared Punjab and Haryana High Court jurisdiction and the doctrinal interconnection between the two States' reservation litigation, Haryana and Punjab should establish a coordinated compliance framework addressing backward-class portability, certification standards and cross-border migration issues, reducing duplicative litigation across the shared jurisdiction.
- The Union Ministry of Social Justice and Empowerment should consider issuing updated national guidance reflecting the cumulative Article 16(4) family jurisprudence — Nagaraj's triple test, the Jarnail Singh relaxation, and the November 2025 rule-codification requirement — to support more consistent state-level implementation across India, addressing the kind of compliance gap Haryana's litigation history illustrates.

5.4 Judicial and Doctrinal Development

- Given the persistent, cross-jurisdictional pattern of fifty percent ceiling litigation evident in Bihar, Maharashtra, Chhattisgarh and Karnataka, the Supreme Court should consider providing more definitive guidance on what constitutes the “extraordinary circumstances” that might justify departure from the Indra Sawhney ceiling, reducing the current pattern of near-automatic state legislative failure when this threshold is tested.

6. CONCLUSION

The jurisprudence interpreting Article 16(4) and its constitutional family represents one of Indian constitutional law's most sustained and doctrinally sophisticated bodies of judicial development, spanning over seven decades from Indra Sawhney's foundational ceiling and

creamy-layer principles through the Nagaraj triple test, the Jarnail Singh line of clarifying decisions, and the more recent, structurally distinct treatment of the Economically Weaker Sections quota and Scheduled Caste sub-classification. This paper's detailed examination of Haryana's recent reservation litigation history demonstrates that this doctrinal sophistication, however well-settled at the appellate level, has not translated into uniformly consistent state administrative compliance. Across four distinct litigation strands — domicile reservation, promotion-quota implementation, procedural codification, and backward-class portability — the Punjab and Haryana High Court has applied a consistent, doctrinally faithful methodology, yet has repeatedly found Haryana's underlying administrative practice wanting, whether through fundamental category error, procedural informality, or classificatory misunderstanding. This pattern suggests that closing the gap between settled Article 16(4) doctrine and effective state-level reservation policy will require sustained institutional investment in compliance infrastructure — standing review mechanisms, proactive legal audit, and coordinated inter-state practice — rather than further doctrinal refinement alone, since the relevant legal standards, as this paper's analysis demonstrates, are for the most part already well-established. As Haryana and comparable States continue to navigate an increasingly complex reservation landscape, encompassing not only the traditional Article 16(4) framework but also sub-classification following Davinder Singh and the EWS quota's distinct constitutional logic following Janhit Abhiyan, the capacity to translate settled judicial doctrine into administratively sound, litigation-resistant policy will remain a defining challenge for the practical realisation of India's constitutional commitment to substantive equality in public employment.

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