

Topic: Claims Of Schedule Caste And Schedule Tribe To The Services And Posts Under Article 335

Name of the Case: Ashutosh Gupta v. State of Rajasthan, (2002) 4 SCC 34

Bench: Justice Ruma pal and Justice Dr. A.R. Lakshmanan

Judgment: The Supreme Court has observed that Article 335 stipulates the claims of the member of Schedule Caste and Schedule Tribes shall be taken into consideration, consistent with the maintenance of efficiency of administration, in making the appointments to services and posts in connection with the Union or the state. It is thus, obvious that even in the matter of reservation in the favour of Schedule Caste and Schedule Tribes the founding father of the Constitution did make a provision relating to maintenance of if efficiency of administration. In this view of the matter if any issue the provision provides for recruitment of a candidate without bearing in mind the maintenance of efficiency of administration and such a provision cannot be sustained, and such provisions are against the constitutional mandate.