With India enjoying a demographic dividend, there are a large number of young people looking for jobs. Public sector (government) jobs often are the first choice for scores of such young people.

The government is meant for the people. One of its responsibilities is to ensure that people are not discriminated against when applying for jobs. A government that would differentiate between its own citizens for jobs would not be democratic at all.

However, that does not prevent the government from making policies that ensure greater chance of success to marginalized sections of society. This may be in terms of reservation of a certain percentage of jobs at each level or the reservation of promotions for citizens of such classes. The idea, then, is to integrate these hitherto marginalized sections of society with mainstream society.

**Q. What is the right to equality of opportunity in public employment?**

This right grants equality of opportunity to all citizens in the manner of appointment to any office under the state. Thus, no citizen can be discriminated against or be rendered ineligible for employment to any office under the State merely on grounds of religion, caste, sex, creed, descent or place of birth.

**Q. Can the State make laws that violate “equality of opportunity in public employment”?**

Yes. Some governments at the state level may require that their employees be from that State itself. Making “domicile” conditional on employment is an exception that is allowed. Further, the government may also pass laws that seek to increase the representation of a certain class of people within the services, in line with their numbers in the general population.

**Q. What is the difference between Articles 15 (right to equality) and Article 16 (right to equality of opportunity in public employment)?**

Whereas Article 15 deals with equality in general and protection against various forms of harassment, Article 16 deals specifically with equality as it relates to government service.

**Q. So does this mean that equality of opportunity refers to equality among similar classes of employees?**

Yes.

**Q. How does the right to equality of opportunity prevent nepotism and regionalism?**

By including the words “descent” and “residence” in Article 16, the right to equality of opportunity forbids discrimination on these grounds.

--Ends