

THE STATE OF MADRAS V. SRIMATHI CHAMPAKAM

CITATIONS: AIR 1951 SC 226

COURT: Supreme Court of India

DELIVERED ON: 9 April, 1951

BENCH: Kania, Hiralal J. (CJ), Fazal Ali, Saiyid, Sastri, M. Patanjali, Mahajan, Mehr Chand, Mukherjea, B.K. & Das, S. R. Bose, Vivian.

FACTS

Smt. Champakam Dorairajan from the state of Madras was a Brahmin girl. She failed to get admission to a medical college in 1951, although she had scored adequate marks owing to a government-issued collective GO.

The quota system was varying in the state of Madras in 1950, compared to the present scenario. The state of Madras ran four medical colleges. Out of these, 17 seats were reserved to the students living outside the state, 12 seats were filled on the discretion of State and the remaining seats were apportioned between four distinct groups of districts in Madras. In a similar pattern, it regulates the engineering colleges. Before the commencement of the Indian Constitution, similar system was casted by the State for students seeking admission in medical and engineering colleges, i.e. apportioned seats between the four distinct districts for a significant phase of time.

With regards to the admission of students in the State's Engineering and Medical Colleges, the Province of Madras released an order (known as the Collective G.O) which marked that the seats ought to be filled by the selection committee solely on the following grounds, that is, out of every 14 seats; 6 Non-Brahmin (Hindus), 2 Backward Hindus, 2 Brahmins, 2 Harijans, 1 Anglo-Indians and Indian Christians and 1 For Muslims. Champakam Dorairajan filed a petition in the Hon'ble Supreme Court of India, arguing that she was being discriminated on the grounds of her caste and subsequently the matter was admitted in the Hon'ble Court.

ISSUE

In Tamil Nadu, massive agitations broke out – culminating in democratic and social unrest. India was in its initial days post-independence, the Lok Sabha had not assembled yet, and the legislature, for the

first time, amended the Constitution. The amendment inserted a clause in Section 15 viz. "clause 4" which reads as:

“(4) Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes”.

Article 15(4) and Article 16(4) are similar and provides for reservation in the system. The issue which was raised was “if the arguments based on Article 46 were sound, then Article 16 clause (4) would have been wholly unnecessary and redundant. Nevertheless, given as clause (4) has been incorporated in Article 16, the absence of such an explicit requirement under Article 29 cannot but be deemed relevant. It could well be that the Constitution's purpose was not to bring into any educational institution funded by the State or obtaining assistance from State funds at all racial factors in matters of admission. The security of backward groups of people that entail the recruitment of representatives of backward classes in State institutions, and it can be understandable under such situations that power was granted to the State to compensate for the allocation of these appointments to backward classes”. However, this factor was clearly not considered appropriate in the case of entry to an educational school, and this could well be the explanation for the exclusion from Article 29 of a provision identical to Article 16.

RULES AND ITS APPLICATION

In the present case, the Hon'ble Justices applied the exact rule of statutory interpretation while interpreting Article 29. Article 29 which is placed in Part III of the Constitution under the head "Cultural and Educational Rights" runs as follows:

“(1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

(2) No citizen be denied admission into any educational institution maintained by the state or receiving aid out of state funds on grounds only of religion, race, caste, language or any of them.”

This should be remembered that while clause (1) covers a part of the citizen's vocabulary, texts, or history, clause (2) grants a specific citizen's constitutional rights and not as a member of any society or class of people. Citizens should not be denied this right on the basis of religion, race, caste, language or any of them alone. If a person pursuing entry to any other educational institution does not have the necessary academic qualifications and is refused entry on that basis, he will surely not be heard protesting under this article pursuant to a violation of his fundamental right. However, despite having the requisite qualifications, if an individual is declined entry solely on the basis of faith, sex, gender, language or all of them, his constitutional right is inherently abused.

JUDGEMENT

The Hon'ble Supreme Court ruled that Article 37 specifically notes that the concepts of the Guideline are not enforceable by the trial. The Supreme Court required that the chapter on fundamental rights in the constitution be sacrosanct and that the provisions of the guideline be in accordance to the chapter of fundamental rights and be a subordinate to it. This implied that the fundamental rights were granted precedence over the values of the Directive. The Apex court marked that all educational institutions ought not to discriminate any student on any grounds, and to allow them admission if they clear it with merit.

CASE ANALYSIS

The Court's opinion established that the Collective G.O. constituted a breach of the Constitutional Right granted under Article 29(2) of the Constitution to the people of India, namely that 'no person shall be refused admission to any educational institution established by the State or obtaining assistance from the State on the grounds of faith, colour, caste, language or any of them.' It is a seminal case, as it contributed to the change of Article 15 of the Indian Constitution and also confirmed all educational establishments not to discriminate against any applicant on behalf of the constitution. The Supreme Court's verdict led to major reservation system change in India.

CONCLUSION

It can be observed that the Judges were aware of the loophole in the statute as the judges had come to the decision reluctantly. In the case of Srimathi Champakam Dorairajan v. Madras State, the Hon'ble Supreme Court has explained the value of the citizens' fundamental rights specified in the Indian Constitution. Each person has the right to receive education without prejudice, in compliance with the Right to Education. Knowledge of the freedoms we have is necessary so that in cases of violation of the same, everyone may lift his voice.



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