

Editorial of the Day – 11.02.2026

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1. Speaker to stay away from Lok Sabha proceedings till Opposition's petition against him is disposed of (TH)

General Studies 2– Polity

Topic– Parliament and State Legislatures—Structure, Functioning, Conduct of Business, Powers & Privileges and Issues Arising out of these.

Sub Topic– Constitutional Authorities; Separation of Powers; Appointment to various Constitutional posts, powers, functions, and responsibilities.

The Speaker of the Lok Sabha– Role, Powers, and Constitutional Significance

Introduction

The Speaker of the Lok Sabha is one of the highest constitutional offices in India's parliamentary democracy, often described as the "conscience keeper" of the House. Recently, Om Birla has been in the news for setting a high ethical precedent by deciding to stay away from presiding over Lok Sabha proceedings until a removal notice moved by the Opposition against him is disposed of. This move highlights the deep moral and constitutional obligations attached to the chair.

Key Context & Constitutional Authority

Moral High Ground– Om Birla's decision to recuse himself during the pendency of a removal notice underscores the principle that justice must not only be done but must also be *seen* to be done. It reinforces the ethical requirement of the Speaker to be above suspicion.

Constitutional Mandate (Articles 93–110)– The Speaker is not merely a presiding officer but a Constitutional Authority mandated to ensure the smooth functioning of the House.

- a. Article 93– Establishes the office of the Speaker and Deputy Speaker.
- b. Conduct of Business– The Speaker is the ultimate interpreter of the rules within the House.

Pivotal Powers– The Speaker holds significant powers that influence the federal balance, including–

- a. Certification of Money Bills– Deciding whether a Bill is a Money Bill (Article 110), which limits the Rajya Sabha's role.
- b. Anti-Defection Law– Acting as the tribunal under the Tenth Schedule to decide on disqualification cases.

Constitutional Linkages & Institutional Role

Bridge Between Constitution and Practice– The Speaker operationalizes the Constitution on a daily basis, ensuring that the theoretical framework of Articles 93–110 is applied meaningfully to parliamentary debates and procedures.

Legislature–Executive Interface– The Speaker acts as a buffer, regulating government business to ensure the Executive does not overwhelm the Legislature. Crucially, while the Speaker facilitates government business, they do not formally belong to the Executive, maintaining the Separation of Powers.

Legislature–Judiciary Interface

Tension Areas– The Speaker's decisions on Money Bills and Anti-Defection cases are frequent flashpoints for judicial review.

Issue- These decisions test the balance between Parliamentary Sovereignty (the right of the House to regulate its own procedure) and Constitutional Supremacy (judicial review of unconstitutional acts).

Judicial Deference- Generally, Courts respect the Speaker's authority to maintain legislative autonomy. However, arbitrary decisions invite judicial scrutiny, reinforcing that the Speaker is subject to the Constitution.

Centre-State and Federal Implications

Impact on Federal Balance- The Speaker's power to certify a bill as a Money Bill is critical. A Money Bill bypasses the Rajya Sabha (Council of States), which represents the states' interests.

Significance- Incorrect certification can undermine the federal structure by denying the states a voice in crucial legislation.

Guardian of States' Voice- By ensuring impartiality, a strong Speaker protects the voices of Opposition and regional parties, thereby indirectly safeguarding the interests of the States they represent.

Party System and Democratic Norms

The Paradox of the Office- The Speaker is elected on a party ticket but is expected to function as a non-partisan umpire.

Ideal- Rising above party politics to link political ethics with institutional trust.

Opposition Rights- Impartial conduct is vital for the survival of democracy. It ensures the Opposition has a fair chance to hold the government accountable. Partisan bias, conversely, erodes democratic legitimacy and weakens the House.

Governance and Accountability

Enhancing Policy Quality- The Speaker has the power to refer Bills to Parliamentary Standing Committees.

Impact- This connects law-making with expert scrutiny, ensuring bills are not rushed through without due diligence.

Check on Executive Dominance- By empowering committees and allowing ample time for debate, the Speaker limits the dominance of the Executive, ensuring the government remains accountable to the people's representatives.

Public Trust and Stability

Symbol of Neutrality- The Speaker's neutrality is directly linked to citizen confidence. If the public perceives the Speaker as biased, faith in the parliamentary process diminishes.

Arena of Democracy- An impartial Speaker ensures Parliament remains a vibrant "Arena of Democracy" where diverse views are debated, rather than becoming a mere rubber stamp for the government.

Conclusion

The Speaker of the Lok Sabha serves as the linchpin of India's parliamentary democracy. By stepping aside on moral grounds, Speaker Om Birla has reinforced the sanctity of the Chair. The office demands a delicate balance of impartiality, constitutional adherence, and ethical conduct. Upholding these norms is not just a procedural necessity but a prerequisite for maintaining public trust and the credibility of the Indian legislative framework.

Source- https://www.thehindu.com/news/national/speaker-to-stay-away-from-lok-sabha-proceedings-till-oppositions-petition-against-him-is-disposed-of/article70616168.ece#google_vignette

2. SC seeks Centre's report on action taken on its SC/ST sub-classification verdict (IE)

General Studies 2- Indian Constitution

Topics- Historical underpinnings, evolution, features, amendments, significant provisions, and basic structure.

Sub Topic- Reservation Policy; Role of Judiciary (Judicial Review/Activism); Centre-State Relations (Federalism regarding Reservation lists); Issues relating to development and management of Social Sector/Services.

SC/ST Sub-Classification & Creamy Layer- Judicial Evolution and Implementation

Introduction

The Supreme Court has recently directed the Union Government to submit an Action Taken Report (ATR) regarding the implementation of its landmark August 1, 2024 Constitution Bench judgment. This historic verdict permitted the sub-classification of Scheduled Castes (SCs) to ensure equitable distribution of benefits and extended the "creamy layer" principle to SCs and STs, marking a significant shift in India's affirmative action jurisprudence.

Key Details of the Development

Judicial Intervention- A 7-judge Constitution Bench delivered the verdict on August 1, 2024.

Core Decision- The Court allowed states to sub-classify SCs to prioritize the most backward among them.

Overruling Precedent- The judgment explicitly overruled the 2004 E.V. Chinnaiah vs State of Andhra Pradesh verdict, which treated SCs as a homogenous class.

Creamy Layer Extension- The Court supported the application of the "creamy layer" exclusion to SCs and STs to ensure substantive equality, a concept previously restricted to OBCs.

Current Status- The Court is now monitoring compliance by seeking an ATR from the Centre.

Constitutional Framework of SC/ST Reservation

Enabling Provisions (Articles 15(4) & 16(4))- Empower the State to create special provisions/reservation in education and public employment for socially and educationally backward classes and SC/STs.

Identification (Articles 341 & 342)

- The President notifies the list of Scheduled Castes/Tribes.
- Only Parliament can modify (include/exclude) entries in this list.
- Significance- This ensures uniform identification across the nation.

Substantive Equality (Article 14)- Reservation is interpreted not just as formal equality, but as a tool to correct historical injustice and structural discrimination.

Protective Discrimination- Affirmative action is a core feature of the Constitution, rooted in the vision of social justice.

Evolution of Judicial Position

Case Law	Key Ruling
E.V. Chinnaiah (2004)	Held that SCs form a homogeneous group. Ruled that sub-classification by states amounted to tampering with the Presidential List (Article 341) and was unconstitutional.
Davinder Singh Case (2024)	A 7-judge Bench overruled Chinnaiah. Held that sub-classification is constitutionally permissible to ensure equitable distribution of benefits.
Majority View (6-1)	Observed that empirical evidence proves inequality <i>within</i> SC communities. Treating them as a single block defeats the goal of equality.
Dissent (Justice Bela Trivedi)	Maintained that SCs are a homogeneous class and sub-classification violates the sanctity of Article 341.

Concept of Sub-Classification within SCs

Rationale- Data indicates that certain sub-castes within the SC category have "cornered" a disproportionate share of reservation benefits, leaving the most marginalized behind.

Equitable Distribution- The aim is to ensure that the "weakest of the weak" receive fair access to opportunities.

Federal Autonomy- The judgment empowers States to design targeted welfare policies based on local empirical evidence, strengthening federalism.

Constitutional Validity- The Court clarified that sub-classification is not tampering with the Presidential List; it is merely reorganizing the distribution of benefits *among* those already on the list.

Extension of Creamy Layer Principle to SC/ST

Origin- The concept originated in the Indra Sawhney (1992) judgment, applicable only to Other Backward Classes (OBCs).

2024 Judicial Endorsement- Justice B.R. Gavai (concurring opinion) emphasized evolving a policy to identify the creamy layer among SCs/STs.

Objective- To prevent affluent/advanced members of the community from monopolizing benefits meant for the upliftment of the backward.

The Debate- This is sensitive because SC/ST reservations were historically linked to untouchability and social discrimination, not economic status. Introducing economic criteria (creamy layer) changes this fundamental premise.

Contemporary Significance

Implementation Challenge- The SC seeking an ATR indicates active judicial monitoring to ensuring the verdict translates into policy.

Political Implications- Sub-classification is likely to reshape caste-based political mobilization, creating new dynamics between dominant and marginalized SC sub-groups.

Data-Driven Governance- The judgment mandates that any sub-classification must be based on empirical evidence, aligning policy with constitutional morality rather than political whim.

Balancing Act- The ruling attempts to harmonize the broad goal of social justice with the specific need for fairness within beneficiary groups.

Way Forward

Socio-Economic Data- The Centre and States must undertake rigorous, caste-wise socio-economic studies to objectively identify intra-group disparities.

Legislative Framework- Parliament or States need to frame transparent guidelines to operationalize sub-classification to avoid future litigation or constitutional ambiguity.

Balanced Criteria- For the creamy layer, criteria must account for social backwardness (stigma) alongside economic indicators, ensuring the core rationale of SC/ST reservation isn't undermined.

Coordination- Timely submission of ATRs and coordination between the Judiciary and Executive is vital for compliance.

Social Harmony- The government must engage in public communication to prevent social tensions and misinterpretation of the policy changes.

Conclusion

The Supreme Court's 2024 verdict represents a paradigm shift in India's approach to social justice. By acknowledging heterogeneity within Scheduled Castes and endorsing the creamy layer principle, the Court has prioritized "substantive equality" over "formal equality." However, the success of this reform depends on careful implementation that balances constitutional mandates with social cohesion, ensuring the promise of equality reaches the most marginalized within the marginalized.

Source- <https://indianexpress.com/article/legal-news/sc-seeks-centres-report-on-action-taken-on-its-sc-st-sub-classification-verdict-10525491/>