

## **Doctrine of Reasonable Classification**

**Menu; civil law, sub-menu; Constitutional law**

**Category; Fundamental right**

Article 14 forbids class legislation. It does not forbid reasonable classification of object and transactions by the Legislature for the purpose of achieving specific ends. Classification to be reasonable should fulfil the following two tests;

- (1) It should not be arbitrary, artificial or evasive. It should be based on an intelligible differentia, some real and substantial distinction, which distinguishes persons or things grouped together in the class from other left out of it.
- (2) The differentia adopted as the basis of classification must have a rational or reasonable nexus with the object sought to be achieved by the statute in question.

*[Laxmi Khandsari v. State of Uttar Pradesh (AIR 1981 SC 87)]*

What is however necessary is that there must be a substantial basis for making the classification and that there should be a nexus between the basis of classification and the object of the statute under consideration. In other words, there must be some rational nexus between the basis of classification and the object intended to be achieved. Therefore, mere differentiation or inequality of treatment does not per se amount to discrimination within the inhibition of the equal protection clause. To attract Article 14, it is necessary to show that the section or differentiation is unreasonable or arbitrary. That it does not rest on any rational basis having regard to object which the Legislature has in view in making the law in question. In *Jaila Singh v. State of Rajasthan*, [AIR 1975 SC 1436], the Supreme Court has explained; “the differentia which is the basis of the classification and the act are distinct things and what is necessary is that there must be a nexus between them.

In *State of M.P. v. Rakesh Kohli*, (2012) 6 SCC 312, following points were established;

- ***Constitutionality of a statute and scope of judicial review***

Where provision enacted by State Legislature is not discriminatory, it can not be struck down on the ground that it was arbitrary and irrational.

- ***Presumption of the constitutionality of the statute***

Presumption is always in favour of constitutionality of an enactment in the field of taxation. Legislature enjoys greater latitude of classification.

- ***Test of permissible classification***

Two condition must be fulfilled, namely,

- (i) The classification must be founded on an intelligible differentia which distinguishes persons or things that are together from other left out of the group, and
- (ii) Such differentia must have rational relation to the object sought to be achieved by the statute in question.

The Court further stated that classification might be founded on different basis, namely, geographical, or according to object or occupations or the like and what is necessary it that there must be a nexus between the basis of classification and the object sought to be achieved.