

Supreme Court Poised to Address Bihar Caste Survey Challenges



The Supreme Court of India is scheduled to hear a series of petitions today challenging the Bihar government's controversial caste-based survey, bringing a pivotal constitutional debate back to the forefront. The legal challenge centers on whether the state government overstepped its authority by conducting an exercise that petitioners contend is akin to a census, a power constitutionally reserved for the Union government. This hearing will delve into fundamental questions of federalism and individual privacy.

The Bihar government initiated the extensive survey in 2022, aiming to collect detailed socio-economic and caste-wise data across the state. Proponents argue that this data is crucial for formulating effective targeted welfare policies for disadvantaged groups. However, various petitioners, including organizations like Youth for Equality, have consistently argued that the survey infringes upon citizens' right to privacy and the legislative powers of the central government. The Patna High Court had previously upheld the survey's validity, a decision that was subsequently appealed to the Supreme Court.

A key point of contention has been the argument that a state-level caste survey, in its scope and detail, essentially functions as a census, which falls under Entry 69 of the Union List in the Seventh Schedule of the Constitution. Petitioners maintain that allowing states to conduct such comprehensive surveys could lead to a fragmented national data collection system and potential inconsistencies. Conversely, the Bihar government has consistently clarified that its exercise is a "survey" and not a "census," designed solely for state-specific policy formulation and not an encroachment on central powers.

The Supreme Court has previously indicated it would not stay the survey without a *prima facie* case demonstrating its illegality. However, the ongoing legal proceedings highlight the tension between the need for granular data for social justice initiatives and concerns regarding privacy and the distribution of powers between state and central authorities. The outcome of today's hearing and subsequent proceedings will be closely watched for its implications not only for Bihar but also for other states considering similar data collection initiatives, potentially shaping the future landscape of social policy and data governance in India.