



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2026

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

THE INSTITUTION AND THE QUOTA: CASTE, ACCOUNTABILITY, AND THE STUDENT DEATHS OF 2014 TO 2026, READ AGAINST A GLOBAL CONSTITUTIONAL RECORD

~ *Ankit Kuril*

ABSTRACT

This article examines how constitutionally funded institutions of higher education respond when a family alleges that caste determines the treatment of a student inside a publicly funded campus. Taking the September 2026 death of Sahil Wakode at IIT Bombay as its occasion rather than its subject, the article applies Ambedkar's concept of constitutional morality to ask whether internal committees composed largely of an institution's own faculty can ever be the appropriate first forum for investigating allegations against that same institution. It reads India's constitutional and statutory framework, Articles 14, 15, 16, 17, 21 and 46, the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989, and the Central Educational Institutions Reservation in Teachers Cadre Act 2019, against a comparative record spanning the United States, South Africa, and Canada, and against India's own precedent in Rohith Vemula's death and the Kilvenmani massacre. It concludes that institutional legitimacy is renewed only through continued, visible fidelity to independent scrutiny, not banked once at an institution's founding.

Keywords: constitutional morality; caste and institutional accountability; Article 14; SC/ST faculty representation; institutional self-investigation; comparative constitutional law; Prevention of Atrocities Act

Note on method and scope. This article examines institutional method, not the merits of any complaint, FIR, or inquiry currently pending before any authority. Facts concerning the death of Sahil Wakode at IIT Bombay in September 2026, and the allegation of caste based harassment

made by his family, are drawn from public reporting available at the time of writing and are treated throughout as reported allegations, not adjudicated findings. The internal committee findings in the cases of Aniket Ambhore (2014) and Darshan Solanki (2023) are treated as institutional conclusions, open to the same scrutiny this article applies to every other institutional conclusion. Historical incidents from other jurisdictions are cited for their settled constitutional significance, not as equivalence to any single event described here.

1. INTRODUCTION

When a student's family approaches a constitutional institution alleging that caste determined how their child was treated inside a publicly funded campus, the Constitution does not ask which community that student belonged to before it decides whether the institution owes them an honest inquiry. It asks only whether the institution will discharge the duty the Constitution has placed upon it. This is the question that needs examination. Not whether any individual professor, director, or investigating officer acted correctly in any single instance (several of the matters discussed below remain open, and this article adjudicates none of them), but whether the institutional architecture that Dr B.R. Ambedkar helped build for a republic still committed to social justice continues to respond to that question the way it was designed to respond.

Every constitutional democracy that has built institutions of prestige and public funding has, at some point, had to answer a version of this question: what happens when the social hierarchy a founding document promised to dismantle simply relocates itself inside the very institutions that document funds. Some democracies answered by protecting the student at the gate. Others answered by protecting the gate against the student. The difference between those two answers is not a difference of law on paper; nearly every republic born of the twentieth century contains a clause resembling India's Article 15. The difference lies entirely in what the institution does the moment that clause is tested by a body on a hostel floor.

The events of September 2026 provide the occasion for this inquiry, not its subject. On September 18, a twenty year old second year student of the Department of Energy Science and Engineering at IIT Bombay, Sahil Wakode, was found dead in his hostel room, hours after being caught using

a mobile phone to consult ChatGPT during a mid-semester examination.¹ The institute initially stated he had been counselled and assured the incident would not affect his academic record, and that no disciplinary action had been taken.² His father, Suresh Wakode, then alleged that a faculty member, Professor Suryanarayan Dulla, had subjected his son to caste based slurs and mental harassment for roughly three months, and threatened to implicate him falsely in a case. The Powai police registered an FIR invoking Section 108 of the Bharatiya Nyaya Sanhita for abetment of suicide, together with provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and the investigation was transferred to the Mumbai Police Crime Branch.³ IIT Bombay subsequently apologised for its own earlier public characterisation of events preceding the death, suspended Professor Dulla pending inquiry,⁴ and, after three days of student protest, its Director signed an eighteen point charter demanding an independent probe by named deadlines.⁵ The institute's own Faculty Forum, meanwhile, publicly defended Dulla as having performed his invigilation duties within approved procedure.⁶ Two bodies inside one campus, before any external authority has concluded anything, have already arrived at opposite factual positions.

This article does not resolve that contradiction. It asks a narrower and more enduring question, against the full weight of how other constitutional systems, and India's own institutions, have answered it before: when an allegation of caste based institutional harm reaches a publicly funded centre of excellence, what does constitutional morality require of that institution, regardless of who occupies its chair at a given moment, and regardless of how many times that same institution has answered the same allegation before.

¹Deccan Herald, 'IIT Bombay student dies after ChatGPT exam incident' (19 September 2026).

²The Federal, 'IIT Bombay student Sahil Wakode's death: What we know so far' (September 2026).

³Free Press Journal, 'Father Alleges Caste Harassment; FIR Filed, Probe Transferred To Crime Branch' (19 to 20 September 2026).

⁴The Week, 'We are sorry: IIT Bombay apologises for inappropriate remarks on student's death' (21 September 2026) <<https://www.theweek.in/news/india/2026/09/21/iit-bombay-apology-student-death-sahil-ravindra-wakode.html>> accessed 29 September 2026; The Statesman, 'IIT Bombay suspends Prof Doolla, withdraws claims on Sahil Wakode' (21 September 2026).

⁵Free Press Journal, NewsBytes, The Hans India and Gujarat Samachar, coverage of the eighteen point student charter (21 September 2026).

⁶The Federal (n 2).

2. METHOD: CONSTITUTIONAL MORALITY AS FRAMEWORK, NOT SLOGAN

Ambedkar warned the Constituent Assembly that a constitution, however well drafted, would fail without what he called constitutional morality among those who operate it. He did not mean patriotic sentiment. He meant a discipline of restraint, a willingness of power to submit itself to procedure even when procedure is inconvenient, and even when the person demanding procedure is a first year student with no institutional standing at all. Ambedkar did not merely preach this discipline from the podium of the Assembly. He lived it as the principal architect of India's reservation framework, insisting, against considerable resistance within his own government, that formal legal equality meant nothing to a community still excluded from the rooms where opportunity was actually distributed.

Ambedkar's method was never to ask whether an institution possessed authority to investigate itself. Almost every institution possesses that authority. His method was to ask whether that authority was being exercised in a manner accountable to those over whom it was exercised, and whether the persons most vulnerable to its exercise retained meaningful access to correct it. Applied here, constitutional morality does not ask whether IIT Bombay had the administrative power to constitute a twelve member internal committee, seven of them its own professors, to investigate Darshan Solanki's death in 2023. It plainly did. The question constitutional morality demands is whether a body dominated by the institution's own faculty, appointed by the Director whose administration stood to be implicated by an adverse finding, could ever be the correct first forum for that inquiry, and whether a Scheduled Caste student's family, absent any accessible alternative forum, retained meaningful power to have that inquiry's conclusions tested by anyone independent of the institution being investigated.

3. DOCTRINAL FOUNDATIONS, TESTED AGAINST CAMPUS PRACTICE

Article 14 guarantees equality before law and equal protection of the laws. Its constitutional purpose, as the Supreme Court recognised in *E.P. Royappa*⁷ and has repeated since, is not merely formal identical treatment but substantive nonarbitrariness in state action. When an SC/ST cell responds to three separate deaths across twelve years, Aniket Ambhore in 2014, Darshan Solanki

⁷E P Royappa v State of Tamil Nadu AIR 1974 SC 555.

in 2023, Sahil Wakode in 2026, with the identical defence that no complaint of caste discrimination was ever formally lodged with it, Article 14 requires an answer to a specific question: is the absence of a formal complaint traceable to the genuine absence of discrimination, or does it track something else entirely, given that sixteen of nineteen SC/ST cells across the IIT system were found, on RTI disclosure, to be nonfunctional,⁸ and that a frightened nineteen year old rarely files a written complaint against the very professor grading his thesis.

Article 15(4) and Article 15(5) empower the state to make special provision for the advancement of socially and educationally backward classes, and for SCs and STs, including in admission to educational institutions. Article 16(4) extends the same logic to public employment, including the teaching cadre that decides whose voice sits on every inquiry committee an institution ever constitutes. Article 17 abolishes untouchability "in any form," a phrase never confined to physical exclusion from a well; a hostel culture in which a reserved category student is asked, unprompted, for his JEE rank in order to establish his caste, a practice a 2021 IIT Bombay SC/ST cell survey found reported by 37 percent of reserved category respondents,⁹ sits within the constitutional mischief Article 17 was written to end, even where no one is ever barred from a physical space. Article 21's guarantee of life and personal liberty has been read, since Maneka Gandhi¹⁰ and reinforced through Puttaswamy,¹¹ to include dignity; a student too afraid to identify himself in an open house convened specifically to discuss caste, as members of IIT Bombay's own Ambedkar Periyar Phule Study Circle have reported occurring at such meetings, is a student whose Article 21 dignity has already been narrowed by the institution meant to protect it, well before any tribunal is asked to rule on the point. Article 46 directs the state to promote the educational interests of SCs and STs "with special care" and to protect them from social injustice. It is a directive that reaches not only admission but the four years a student spends after the admission letter arrives.

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, exists because Parliament recognised that ordinary criminal law, blind to social context, could not adequately

⁸Sabrang India, The Print, The Wire, Careers360 and Shiksha.com, RTI disclosures and Parliamentary Standing Committee reports on IIT and IIM faculty vacancy and SC/ST cell data (2024 to 2025).

⁹Newslandry, 'Stress, dropouts, suicides: Unravelling IIT's casteism problem' (March 2023).

¹⁰Maneka Gandhi v Union of India AIR 1978 SC 597.

¹¹Justice K S Puttaswamy v Union of India (2017) 10 SCC 1.

address humiliation, intimidation, and discrimination rooted specifically in caste identity, offences the Act was designed to reach precisely because they occur so often inside relationships of institutional asymmetry, a professor's authority over a student being a textbook instance. Its invocation in the FIR following Sahil Wakode's death is, at the time of writing, an allegation under investigation, not a finding; but the statute's existence is itself the legislature's acknowledgment that a hostel corridor or an examination hall is exactly the kind of enclosed, hierarchical space in which such an offence can occur without ever resembling the village square violence the public imagination associates with the word atrocity. The Central Educational Institutions (Reservation in Teachers' Cadre) Act, 2019, completes the doctrinal architecture by mandating that the very faculty who staff these institutions, and who sit on the inquiry committees this article concerns itself with, reflect India's constitutionally mandated social composition, a mandate examined in Section 6 below against what the institutions have actually done with it.

4. A GLOBAL CONSTITUTIONAL RECORD: EXCLUDED STUDENTS, NAMED PLAINLY

A constitutional article that speaks only in doctrine risks forgetting what doctrine exists to prevent. It is worth naming, without euphemism, both the worst and the best of how states have responded when a young person's presence inside an institution of learning was treated as an intrusion by those who believed the institution belonged to someone else. The historical episodes discussed in this section are matters of settled public record rather than contested reporting, and are accordingly presented without individual citation.

On September 25, 1957, nine Black students attempting to enter Central High School in Little Rock, Arkansas, under a desegregation order, were blocked first by the Arkansas National Guard on the governor's orders and then by a mob. It took a further three weeks, and the President of the United States federalising the Arkansas Guard and deploying the 101st Airborne Division to walk the nine students through the doors themselves, before the institution's gate answered to the Constitution rather than to the crowd. Five years later, on September 30, 1962, James Meredith's attempt to become the first Black student at the University of Mississippi triggered a night of rioting that killed two people; it took federal marshals and thousands of federalised troops to see him enrolled. In both cases the act on an institution's gate, turned into a wall by the people meant

to guard it, did not disappear from history. But it was answered, within days or weeks, by an institutional act of protection that placed the machinery of the federal state on the side of the student against the machinery of the state that had barred him. That is what institutional accountability looks like when it functions.

South Africa's Bantu Education Act of 1953 took a different, slower form of exclusion: rather than blocking a gate, it redesigned the entire architecture behind it, deliberately restricting the curriculum available to Black South African students so that, in the language of the Act's own architect, they would not be trained "above certain forms of labour." It required no single riot and no single villain; it required only decades of ordinary bureaucratic administration. The post apartheid Constitution did not treat this as a closed chapter. It built redress, that is the Employment Equity Act, transformation charters, admission and funding reform across universities, directly into its new constitutional order, and South Africa's Constitutional Court has since developed one of the world's most exacting bodies of equality jurisprudence, born from the specific knowledge of what quiet, well administered exclusion had once cost an entire generation.

Canada answered its own version of this question only very late, and only after grave harm had already been done. Beginning in the nineteenth century and continuing for over a hundred years, Indigenous children were removed from their families and placed in state and church run residential schools explicitly designed, in the language of the government that built them, to "kill the Indian in the child." It was not until 2008 that a national Truth and Reconciliation Commission was constituted, and not until its 2015 final report that the Canadian state formally acknowledged the system as an act of cultural genocide and the Prime Minister apologised in Parliament. The lesson of the residential schools is not only about the exclusion itself. It is about how long an institution, and the state that funds it, can defer the human reckoning, and what is permanently lost to public confidence across the decades of that deferral.

India has its own entry in this record, and it belongs beside these others rather than apart from them. On January 17, 2016, Rohith Vemula, a Dalit PhD scholar at the University of Hyderabad, died by suicide after his institutional stipend was suspended and he was expelled from his hostel following a disciplinary proceeding his supporters characterised as caste motivated. His final letter, addressed to no one and everyone, spoke of a person's value being reduced to an immediate identity and nearest possibility, a wording that entered the national vocabulary on institutional exclusion

the way Little Rock and Sharpeville entered theirs. No chargesheet in that case ultimately established caste as the legally proven cause; the matter remains, a decade later, an unresolved argument over institutional responsibility rather than a settled judicial finding, and this article does not purport to resolve it here. What is undisputed is what Vemula's death did to public consciousness: it made a phrase, 'Institutional Murder,' available to every APPSC statement, every parent's letter, and every protest banner that would follow at IIT Bombay in the years after, from Aniket Ambhore's family's own testimony to Sahil Wakode's father's FIR a decade later. A single unresolved case became, whatever its own legal outcome, the lens through which an entire country now reads every subsequent one.

A further entry belongs here as the necessary counterexample, the case that shows what happens when no institution ever answers at all. On March 25, 1968, in Kilvenmani, Tamil Nadu, forty four Dalit agricultural labourers, most of them women and children, were burned to death by a landlord militia after demanding higher wages. A trial court initially convicted several accused; the Madras High Court acquitted all of them on appeal, reasoning, among other things, that men of a certain social standing were unlikely to have personally participated in such a crime. No institution overturned that acquittal. No subsequent inquiry reopened it. It survives in public memory today almost entirely through poetry and testimony rather than through any judicial record that named the truth and changed because of it. Kilvenmani is included not as a point of comparison to any single event in this article, but as the permanent reminder of why the question this article opened with must be asked, insistently, in every system that still possesses institutions capable of answering it, because the alternative is not merely injustice in one case. It is injustice with no institutional memory of itself at all.

5. THE CONSTITUTIONAL LIMITS OF INSTITUTIONAL SELF INVESTIGATION

An institution's power to inquire into its own conduct derives not from an unwritten reservoir of administrative authority but from statute and its own regulations, themselves circumscribed by the fundamental rights chapter the moment that inquiry touches a student's dignity, employment, or liberty. The doctrine of proportionality, now firmly embedded in Indian constitutional law after Puttaswamy, requires that any institutional action restricting a right be suitable to its stated purpose, necessary in that no less restrictive alternative exists, and balanced such that the

restriction does not outweigh the right's importance. Applied to inquiry design rather than police force, the same doctrine yields an obvious conclusion: where a less compromised alternative to full self investigation exists, an external member, a judicial officer, a body independent of the very administration whose conduct is in question, the necessity limb of proportionality is not satisfied by an institution simply declining to use it.

IIT Bombay's own history supplies the clearest illustration. The 2014 Ambhore committee, the 2023 Solanki committee, and the institute's initial public statement on Wakode in 2026, later formally apologised for and withdrawn, were each an act of an institution reviewing itself using its own personnel, on its own information, answerable to its own Director. The Ambhore committee concluded there did not "seem" to be an "overt" environment of discrimination, language that, read plainly, concedes the possibility of a covert one while declining to investigate it.¹² The Solanki committee found no specific evidence of caste based discrimination, while the police chargesheet filed months later, drawing on the same set of family statements the committee had access to, recorded that Solanki had told his mother other students' behaviour changed once they learned his caste.¹³ Two processes examining substantially overlapping evidence reached materially different emphases; only one of them was independent of the institution whose reputation stood to be affected by the finding.

Constitutional self investigation, properly understood, treats an allegation of institutional caste harm the way constitutional policing is required to treat a crowd: as a claim entitled to a presumption of seriousness until the institution has discharged its burden of showing otherwise, documented contemporaneously and transparently, with the same evidentiary rigour applied to allegations against the institution's own personnel as is applied to allegations against the complainant. IIT Bombay's Faculty Forum publicly defending Professor Dulla's conduct as within approved procedure, before the Crime Branch investigation it itself acknowledges is ongoing has concluded anything, is not proof of institutional bad faith; collegial solidarity is a foreseeable

¹²Careers360, reporting on the IIT Bombay internal inquiry into Solanki's death and the Aniket Ambhore committee findings (2023); Roundtable India, The News Minute, The Quint and Academic Freedom India, documentation of the Aniket Ambhore case (2014 to 2017).

¹³The Quint, 'Darshan Solanki Case: Chargesheet Mentions Last Interactions' (June 2023); Maktoob Media, 'Darshan Solanki told mother about caste discrimination in IIT Bombay' (June 2023).

human reaction inside any workplace. It is, however, precisely the kind of institutional posture that the necessity limb of proportionality was designed to guard against: a body with an interest in the outcome pronouncing on the outcome before the independent forum it has itself invoked has finished its work.

6. REPRESENTATION: WHO SITS ON THE COMMITTEE THAT JUDGES YOU

The constitutional argument for faculty representation is not a diversity courtesy. It is Ambedkar's own reasoning about political representation, transplanted onto a campus: a body whose power is exercised overwhelmingly by one social stratum, adjudicating harm allegedly done by members of that stratum to members of another, is structurally handicapped in a way formal neutrality cannot cure, whatever the individual good faith of every person sitting on it. The data on how far short of the constitutional mandate India's elite institutions fall is now extensive and drawn from the government's own disclosures rather than from activist estimation.

At IIT Delhi, RTI data obtained by the All India OBC Students Association found SC faculty at just over two percent and ST faculty at just over one percent of a sanctioned strength of 1,093 posts, with 460 posts vacant and 89.1 percent of the 633 faculty then on roll belonging to the general category. At IIT Kanpur, RTI data obtained by the Ambedkar Periyar Phule Study Circle found fourteen of nineteen departments had no ST faculty member at all, and that not a single SC, ST, or OBC woman was recruited to the faculty in 2023 despite repeated government directives. Across nine IITs that disclosed caste wise vacancy data, 888 of 1,501 vacant posts, nearly sixty percent, belonged to the SC, ST, and OBC categories combined. A parliamentary standing committee found that, nationally, 56.18 percent of professor rank positions across IITs, IIMs, NITs, and IISERs remained vacant, with 1,011 of 2,013 sanctioned SC posts and 1,491 of 3,409 sanctioned ST posts unfilled system wide. Across twenty one IIMs with 1,880 sanctioned faculty posts, fewer than 200 faculty members came from SC, ST, or OBC backgrounds combined, representing 3.2, 0.85, and 5.8 percent of the total respectively, with IIM Calcutta reporting zero ST faculty on roll.¹⁴

¹⁴Sabrang India, The Print, The Wire, Careers360 and Shiksha.com (n 8).

This article declines to repeat the frequently circulated claim that ninety eight percent of IIT faculty are upper caste, because no verifiable dataset, methodology, or year attaches to that figure in any primary source located for this piece. The verified numbers above make the same constitutional point without borrowing an unsourced one: statutory faculty reservation exists on paper and has been substantially unimplemented in practice for years, across institutions and across changes of government in Delhi. Aniket Ambhore's parents were told by a professor, in a room with no one who shared their son's social experience of that institution, that SC students typically took twice as long to finish a degree, and that he would be happier at a lesser college.¹⁵ Representation is not a guarantee such a remark is never made again. It is the precondition for an institution to be structurally capable of catching it when it is.

7. INSTITUTIONAL RESPONSIBILITY AND PUBLIC CONFIDENCE

An institution's authority does not rest on the finality of its committee reports. It rests on the public's continued belief that when a family approaches it alleging caste harm, the institution will engage the substance of that claim rather than the reputational cost of admitting it. This is the theory underlying the demand, now made by protesting students at IIT Bombay in their eighteen point charter, for an independent inquiry into Wakode's death with fixed interim and final deadlines, external members, and student representation,¹⁶ a demand that mirrors, almost point for point, the same demand made by APPSC after Solanki's death in 2023 and by Ambhore's parents after his death in 2014. The demand is not new. What is new, each time, is only the name of the student.

The Supreme Court's own posture toward IIT Kharagpur in 2025, after four student deaths at that campus within seven months, is instructive here. A bench of Justices J.B. Pardiwala and R. Mahadevan bluntly asked counsel for the institute what was wrong with IIT Kharagpur and why students kept dying, and was reported to have remained unconvinced by the institute's account of a newly constituted committee and a helpline.¹⁷ This is a constitutional court, not a student

¹⁵Roundtable India, The News Minute, The Quint and Academic Freedom India (n 9).

¹⁶Free Press Journal, NewsBytes, The Hans India and Gujarat Samachar (n 6).

¹⁷Moneylife, 'What Is Wrong with IIT Kharagpur? SC Pulls Up Institutions after Student Deaths' (2025); The Wire, 'Caught on Video, IIT Kharagpur Faculty Abuses SC, ST, OBC Students' (2021).

collective, declining to accept an institution's self assessment of its own adequacy at face value, and that matters, because it removes the easy dismissal that institutions have historically applied to internal critics, that the allegation is merely student politics.

Institutional legitimacy, as Ambedkar himself understood when defending an independent judiciary before the Constituent Assembly, is renewed continuously through visible fidelity to procedure, not banked permanently at the moment an institution is founded or ranked highly in a league table. An institution that has correctly and transparently investigated a thousand ordinary academic grievances retains no standing exemption from independent scrutiny on the thousand and first occasion, particularly where that occasion involves the constitutionally protected identity of the student concerned.

8. ACCESS: THE FIRST GENERATION STUDENT AND CONSTITUTIONAL EQUALITY

Access to institutional remedy is not evenly distributed among those entitled to it. A first generation student, the first in his family to sit for JEE, the first to leave his district, often the first to hold the vocabulary needed to name what has happened to him as discrimination rather than as bad luck, experiences a campus grievance system differently from a student whose parents once walked the same corridors. This is not a complaint about social courtesy. It is a constitutional observation. Equality before law, per Article 14, is meaningless if equality of institutional hearing does not accompany it. A right to complain that exists formally for every student but is practically accessible only to those who already possess the social capital to be believed is a right whose universality exists in the regulation and not fully in practice.

The government's own data confirms the scale of what remains institutionally unaddressed. Between 2014 and 2021, 122 students died by suicide across centrally funded higher education institutions, with IITs recording 34 of those deaths, including thirteen OBC and five SC students.¹⁸ A subsequent parliamentary answer covering 2018 to 2023 recorded 98 deaths system wide, 39 of them at IITs, the highest of any institution type, including twenty eight OBC, nine SC, three ST,

¹⁸Careers360, Lok Sabha and Rajya Sabha data on student suicides in central institutions (2021 to 2023).

and four minority community students.¹⁹ And in 2023, in response to a direct parliamentary question, the government admitted that no official data records the caste identity behind the specific circumstances of any student suicide, only broad category tallies of who died, never why.²⁰ Parliament counts the dead by category. It does not, and by its own admission cannot, tell the country whether caste contributed to why they died. An accountability system that carefully tallies identity while declining to investigate causation is a system built to avoid the one conclusion it might not survive.

9. A COMPARATIVE CONSTITUTIONAL LENS ON REDRESS

The United States, having once used federal troops to force open a university gate at Ole Miss in 1962, has since retreated from race conscious admissions altogether. In *Students for Fair Admissions v. Harvard* (2023),²¹ the U.S. Supreme Court held that race conscious admissions programmes at Harvard and the University of North Carolina violated the Equal Protection Clause, substantially overturning the framework the Court itself had permitted in *Grutter v. Bollinger* (2003).²² Whatever one's view of that doctrinal trajectory, it marks American constitutional law moving away from group based redress toward a formally colour blind standard, even as the underlying social disparities that originally justified redress persist largely unchanged. South Africa's post apartheid order has moved in the opposite direction, entrenching redress as an affirmative constitutional value: Section 9(2) of its 1996 Constitution expressly permits legislative and other measures designed to protect or advance persons disadvantaged by unfair discrimination, and its universities and employers operate under continuing statutory transformation obligations precisely because the Constitutional Court has read substantive, not merely formal, equality into its founding text.

India's own constitutional text sits doctrinally closer to the South African model than to the post 2023 American one, and deliberately so: Articles 15(4), 15(5), and 16(4) are not judicial

¹⁹OpIndia, Ministry of Education Lok Sabha reply on 61 student suicides (March 2023).

²⁰The Wire, 'Beyond Statistics: The Link Between Institutional Caste Discrimination and Student Suicides in India' (September 2025).

²¹*Students for Fair Admissions v President and Fellows of Harvard College* 600 US 181 (2023).

²²*Grutter v Bollinger* 539 US 306 (2003).

improvisations but express textual authorisations for exactly the group based redress the American Supreme Court has now constitutionally foreclosed. What distinguishes India's position from South Africa's is not text but delivery. South Africa built statutory transformation obligations with reporting mechanisms and consequences for non compliance directly into its post 1994 order. India enacted the Central Educational Institutions (Reservation in Teachers' Cadre) Act in 2019, and RTI disclosures from 2023 through 2025 show that Act's mandate remaining substantially unmet across the very institutions this article has examined. The comparative lesson is not that India's Constitution is deficient. It is that a textual commitment to substantive equality, standing alone, delivers nothing without the institutional will, Ambedkar's constitutional morality again urging enforcement against institutions that would rather not.

10. PRECEDENT AND CASE LAW

Indra Sawhney v. Union of India (1992)²³ upheld the constitutional basis for OBC reservation while introducing the creamy layer exclusion and a general ceiling on total reservation, establishing that redress under Articles 15 and 16 must be calibrated, not unlimited, but remains constitutionally mandatory in its calibrated form. *Ashoka Kumar Thakur v. Union of India* (2008)²⁴ upheld the 2006 Act extending 27 percent OBC reservation to central higher educational institutions, including the IITs and IIMs this article concerns itself with, while directing periodic review of the creamy layer criterion and cautioning that reservation must not come at the cost of institutional quality, a caution this article's faculty vacancy data suggests has been honoured mainly in the breach, since posts left vacant rather than filled by qualified reserved category candidates serve neither reservation's goals nor institutional quality. *State of Punjab v. Davinder Singh*²⁵ held that sub classification within the Scheduled Castes for reservation purposes is

²³*Indra Sawhney v Union of India* AIR 1993 SC 477.

²⁴*Ashoka Kumar Thakur v Union of India* (2008) 6 SCC 1.

²⁵*State of Punjab v Davinder Singh* 2024 INSC 562, [2024] 8 SCR 1321. A related order in the same matter, [2020] 10 SCR 857 (2020 INSC 512), referred the underlying question to a larger bench; the substantive ruling on sub classification within the Scheduled Castes was delivered by the seven judge bench on 1 August 2024, not in 2020 as sometimes loosely cited.

constitutionally permissible where empirically justified, a precedent directly relevant to any future policy response addressing why representation gaps persist even within nominally reserved cadres.

Vishaka v. State of Rajasthan (1997)²⁶ established that, in the absence of specific legislation, constitutional courts may lay down binding guidelines to fill an institutional vacuum where existing mechanisms fail to protect a constitutionally recognised harm, a precedent this article suggests is directly applicable to campus caste grievance mechanisms today: sixteen of nineteen IIT SC/ST cells found nonfunctional on RTI disclosure is precisely the kind of institutional vacuum *Vishaka* was designed to answer, and no comparable binding framework has yet been laid down for caste harassment on campuses the way it was for workplace sexual harassment before the 2013 POSH Act finally codified it. *D.K. Basu v. State of West Bengal*²⁷ established that the dignity of a person under institutional control is a continuing Article 21 obligation, not suspended merely because that person is formally within an institution's custody or discipline, a reasoning this article extends, without equating the two forms of control, to a student inside a hostel subject to disciplinary summons over an examination infraction, whose dignity does not become negotiable the moment a professor decides he has misbehaved. *Justice K.S. Puttaswamy v. Union of India* entrenched the proportionality doctrine as the operative constitutional test for any state or state funded action restricting a fundamental right, a test this article has applied throughout to the design of institutional self investigation itself.

Read together, these five judgments do not merely permit external scrutiny of how India's premier institutions investigate allegations of caste harm inside their own walls. They constitutionally require it, and require that such scrutiny proceed with a presumption favouring the complainant's dignity until the institution has discharged its burden of justification. Read alongside *Little Rock, Ole Miss*, the *Bantu Education Act*, and the residential schools, and alongside *Kilvenmani's* warning of what happens when no institution ever answers, they place India's obligation not in isolation but inside a global constitutional inheritance the founders of this Republic always understood themselves to be joining, not merely borrowing from.

²⁶*Vishaka v State of Rajasthan* AIR 1997 SC 3011, (1997) 6 SCC 241.

²⁷*D K Basu v State of West Bengal* AIR 1997 SC 610, (1997) 1 SCC 416.

11. CONCLUSION: AN INSTITUTIONAL PROPOSITION

The Constitution of India was not written for institutions that only owe honesty to the students who arrive with the right surname, the right school, or the right proximity to power. It was written, deliberately, to bind institutions of excellence toward the very students they might otherwise find inconvenient to believe: the first generation entrant, the reserved category admit, the student too afraid to speak in an open house. Ambedkar's constitutional morality asks nothing more, and nothing less, than that every institution funded by the public answer a single recurring question honestly each time it is asked. Not whether the student before it arrived through the general list or through reservation, not whether his family has the resources to sustain a Crime Branch investigation for years, but whether the institution's response would remain justifiable if that student belonged to no faction, commanded no protest movement, and had nothing standing behind him except the Constitution itself.

Sahil Wakode's Crime Branch investigation remains open at the time of writing. It may vindicate the institution. It may not. Either finding will say something true about one case. What the twelve years between Aniket Ambhore's fall in 2014 and Sahil Wakode's death in 2026 already say, independent of how the current investigation concludes, is that IIT Bombay, and institutions like it across the country, built grievance systems in the aftermath of one death that were never rebuilt to survive contact with the next. A constitutional democracy does not renew its legitimacy through the rankings its institutions receive from the powerful. It renews its legitimacy, continuously and without exception, through the seriousness with which those institutions answer the students who have nothing but the Constitution itself to stand on.

Every constitutional democracy examined in this article has, at some point, failed that test in public, and some in blood. What separates the systems that eventually earned their students' trust from the one record in this article that never has, Kilvenmani, still unanswered fifty eight years later, is not the absence of failure. It is the presence, eventually forced or freely chosen, of an institution willing to say so, investigate itself honestly, and change because of it. That is the only inheritance worth claiming from Ambedkar's Constitution inside India's most prestigious classrooms. Not the certainty that these institutions will never fail this test again. The insistence that when they do, something in the system still answers.

BIBLIOGRAPHY

- Ashoka Kumar Thakur v Union of India (2008) 6 SCC 1
- Careers360, 'Reporting on the IIT Bombay internal inquiry into Solanki's death and the Aniket Ambhore committee findings' (2023)
- Careers360, 'Lok Sabha and Rajya Sabha data on student suicides in central institutions' (2021 to 2023)
- D K Basu v State of West Bengal AIR 1997 SC 610, (1997) 1 SCC 416
- Deccan Herald, 'IIT Bombay student dies after ChatGPT exam incident' (19 September 2026)
- E P Royappa v State of Tamil Nadu AIR 1974 SC 555
- Free Press Journal, 'Father Alleges Caste Harassment; FIR Filed, Probe Transferred To Crime Branch' (19 to 20 September 2026)
- Free Press Journal, NewsBytes, The Hans India and Gujarat Samachar, coverage of the eighteen point student charter (21 September 2026)
- Grutter v Bollinger 539 US 306 (2003)
- Indra Sawhney v Union of India AIR 1993 SC 477
- Justice K S Puttaswamy v Union of India (2017) 10 SCC 1
- Maktoob Media, 'Darshan Solanki told mother about caste discrimination in IIT Bombay' (June 2023)
- Maneka Gandhi v Union of India AIR 1978 SC 597
- Moneylife, 'What Is Wrong with IIT Kharagpur? SC Pulls Up Institutions after Student Deaths' (2025)
- Newslaundry, 'Stress, dropouts, suicides: Unravelling IIT's casteism problem' (March 2023)
- OnManorama, The News Minute, Maktoob Media and Wikipedia, CBI closure report on Fathima Latheef's death (2022)
- OpIndia, Ministry of Education Lok Sabha reply on 61 student suicides (March 2023)

- Roundtable India, The News Minute, The Quint and Academic Freedom India, documentation of the Aniket Ambhore case (2014 to 2017)
- Sabrang India, The Print, The Wire, Careers360 and Shiksha.com, IIT and IIM faculty vacancy and reservation data, RTI disclosures and Parliamentary Standing Committee reports (2024 to 2025)
- State of Punjab v Davinder Singh 2024 INSC 562, [2024] 8 SCR 1321
- Students for Fair Admissions v President and Fellows of Harvard College 600 US 181 (2023)
- The Federal, 'IIT Bombay student Sahil Wakode's death: What we know so far' (September 2026)
- The Quint, 'Darshan Solanki Case: Chargesheet Mentions Last Interactions' (June 2023)
- The Statesman, 'IIT Bombay suspends Prof Doolla, withdraws claims on Sahil Wakode' (21 September 2026)
- The Week, 'We are sorry: IIT Bombay apologises for inappropriate remarks on student's death' (21 September 2026) <<https://www.theweek.in/news/india/2026/09/21/iit-bombay-apology-student-death-sahil-ravindra-wakode.html>> accessed 29 September 2026
- The Wire, 'Caught on Video, IIT Kharagpur Faculty Abuses SC, ST, OBC Students' (2021)
- The Wire, 'Beyond Statistics: The Link Between Institutional Caste Discrimination and Student Suicides in India' (September 2025)
- Vishaka v State of Rajasthan AIR 1997 SC 3011, (1997) 6 SCC 241