Polity & Governance · GS - II

How can constitutional authorities balance religious freedom, judicial directions and public order in disputes involving religious practices at contested public sites?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 25/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Article 25, Article 26, public order, judicial compliance, secularism, administrative neutrality, proportionality

Model Answer

Constitutional Framework

India's secular framework protects religious freedom while empowering the State to regulate activities in the interests of public order. Disputes over religious practices therefore require constitutional balance rather than arbitrary administrative intervention.

Three Competing Obligations

1. **Religious freedom:** Articles 25 and 26 protect individual and denominational religious rights, subject to constitutionally specified limitations.

2. **Judicial authority:** Under Article 144, all civil and judicial authorities must act in aid of the Supreme Court. Binding judicial directions cannot be disregarded for administrative convenience.

3. **Public order:** State authorities have responsibility for preventing violence, maintaining peace and ensuring the safety of citizens.

Institutional Response

1. **Legal clarity:** Authorities should carefully examine the applicable court orders, their scope and the rights of affected parties before taking decisions.

2. **Proportionate restrictions:** Restrictions should be lawful, necessary and limited to what is required to address a genuine public-order concern.

3. **Administrative neutrality:** Decisions must be based on constitutional principles rather than political or religious considerations.

4. **Dialogue and mediation:** Engagement with community representatives can reduce misunderstandings and prevent escalation.

5. **Accountability:** Police action and administrative decisions should remain subject to judicial scrutiny and established legal procedures.

Conclusion

Constitutional secularism requires both protection of religious freedom and impartial enforcement of law. Respect for judicial authority, proportionate administration and peaceful dispute resolution are essential to preserving public order and social harmony.

BECOME IAS
AI POWERED UPSC PREP