Polity & Governance · GS - II

Examine the legal and constitutional concerns involved in restricting an individual's freedom of movement through administrative measures such as Look Out Circulars.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 27/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Article 19(1)(d), Article 21, procedural fairness, proportionality, executive discretion, judicial review, national security, due process

Model Answer

A Look Out Circular (LOC) is an administrative mechanism used by investigating agencies to alert immigration authorities about individuals whose movement requires monitoring or restriction. Although it can assist criminal investigations, its use raises important questions concerning individual liberty and executive accountability.

Legitimate purposes

1. **Investigation:** LOCs can help locate individuals who may be required for investigation or legal proceedings.
2. **Preventing evasion:** They may assist authorities in addressing genuine concerns about an individual leaving the country to evade investigation or legal processes.
3. **Inter-agency coordination:** They facilitate information sharing between investigating agencies and immigration authorities.

Constitutional and legal concerns

1. **Freedom of movement:** Article 19(1)(d) guarantees citizens the right to move freely throughout India. Restrictions must satisfy constitutionally permitted grounds under Article 19(5).
2. **Personal liberty:** Article 21 protects life and personal liberty. Restrictions affecting travel abroad must follow a procedure established by law that is fair, just and reasonable.
3. **Executive discretion:** Broad or inadequately justified restrictions may result in arbitrary interference with individual rights.
4. **Presumption of innocence:** An LOC must not be treated as proof of criminal guilt or as a substitute for judicial determination.

Institutional safeguards

Authorities should record specific reasons, follow applicable Ministry of Home Affairs guidelines, periodically review restrictions and ensure that affected individuals have access to appropriate legal remedies. Courts must be able to examine whether the restriction is lawful, necessary and proportionate.

Conclusion

LOCs can serve legitimate investigative objectives, but their credibility depends on transparent procedures, accountability and judicial oversight. National security and effective investigation must operate within the framework of constitutional liberty.

BECOME IAS
AI POWERED UPSC PREP