Polity & Governance · GS - II

“The right to peaceful protest is an essential component of democracy, but it is subject to reasonable constitutional restrictions.” Discuss in the light of the role of the judiciary in protecting fundamental rights.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 18/10/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Article 19(1)(a), Article 19(1)(b), peaceful assembly, reasonable restrictions, public order, individual liberty, criminal liability, judicial review, rule of law, democratic accountability.

Model Answer

Introduction

Peaceful protest is an important means through which citizens express grievances and hold the government accountable. The Indian Constitution protects freedom of expression under Article 19(1)(a) and peaceful assembly under Article 19(1)(b).

Main Body

Importance of Peaceful Protest

1. Democratic participation: Enables citizens to raise concerns and influence public policy.
2. Government accountability: Provides a peaceful mechanism to question administrative decisions.

3. Protection of liberty: Prevents the suppression of lawful dissent.

Constitutional Limitations and Judicial Role

1. Articles 19(2) and 19(3) permit reasonable restrictions on specified grounds.
2. Authorities must distinguish peaceful participation from violence or other criminal conduct.
3. Mere presence at a protest should not automatically result in criminal liability without evidence establishing the alleged offence.
4. Courts exercise judicial review to examine arbitrary state action and protect constitutional freedoms.

Conclusion

A constitutional democracy must protect peaceful dissent while maintaining public order. Proportionate restrictions, evidence-based prosecution and independent judicial review are essential to uphold both individual liberty and the rule of law.

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