

ADVOCACY



TMV's Lokmanya Tilak Law College's

QUARTERLY eMAGAZINE

Volume IV

Issue 15 (Oct-Dec 2024)

LANDMARK JUDGEMENTS

II: Cases That Shaped Constitutional Values in India

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M.C. MEHTA V. UNION OF INDIA (2002)**SAVING THE TAJ MAHAL FROM POLLUTION**

By- Bharat Ankush Gupte

(LLM 1st year)

INTRODUCTION

The **Taj Mahal**, recognised as one of the **Seven Wonders of the World** and a **UNESCO World Heritage Site**, represents India's rich historical and cultural legacy. During the latter half of the twentieth century, however, rapid industrialisation around Agra led to severe environmental concerns. Emissions from factories, refineries, and other industrial units contributed to air pollution that caused the Taj Mahal's white marble surface to discolor and deteriorate, a condition often described as "**Marble Cancer.**" Alarmed by the growing threat to this iconic monument, environmental activist and lawyer **M.C. Mehta** filed a Public Interest Litigation before the Supreme Court. The Court's decision in ***M.C. Mehta v. Union of India*** (commonly known as the **Taj Trapezium Case**) emerged as a landmark judgement, significantly advancing environmental protection and heritage conservation in India.

BACKGROUND OF THE CASE

The **Taj Trapezium Zone (TTZ)**, spanning nearly **10,400 square kilometres** around the Taj Mahal, witnessed extensive industrial activity, including foundries, brick kilns, chemical plants, glass manufacturing units, and thermal power stations. Scientific investigations established that pollutants such as **sulphur dioxide** and **nitrogen oxides** released by these industries reacted with moisture in the atmosphere to produce acid rain. This phenomenon contributed to the gradual discoloration, erosion, and deterioration of the Taj Mahal's marble structure. Despite several governmental measures and earlier judicial directives aimed at controlling pollution, environmental conditions in the region continued to worsen. In response to the persistent threat posed to the monument, **M.C. Mehta** sought more stringent intervention from the Supreme Court to ensure the preservation of this invaluable cultural heritage site.

KEY LEGAL ISSUES

The Supreme Court was required to address several crucial legal and environmental issues:

- Whether the pollution generated by industries within the **Taj Trapezium Zone (TTZ)** infringed the **right to a clean and healthy environment** guaranteed under Article 21 of the Constitution.
- Whether industrial units responsible for environmental degradation should be directed to adopt cleaner technologies, relocate, or cease operations altogether.
- How a balance could be maintained between **economic development and employment opportunities** on one hand and the **protection of the environment and cultural heritage** on the other.
- Whether existing environmental laws and regulatory mechanisms were being properly implemented to prevent damage to the Taj Mahal and the surrounding ecosystem.

Petitioner (M.C. Mehta)- The petitioner argued that:

- The Taj Mahal is a priceless national and global heritage monument deserving maximum protection.
- Industrial pollution was directly responsible for damaging the marble structure.
- A clean and healthy environment is part of the fundamental right to life under Article 21.
- Government authorities had failed to effectively enforce environmental laws.
- Polluting industries should be relocated away from the monument.

Respondents (Union of India and Industries)- The respondents contended that:

- Closure or relocation of industries would adversely affect employment and the regional economy.
- Cleaner technologies could reduce pollution without relocating industries.
- Existing environmental laws were sufficient if properly implemented.

- Industrial development and heritage preservation should be balanced rather than viewed as competing interests.

SUPREME COURT'S FINDINGS

The Supreme Court acknowledged the **Taj Mahal** as a priceless national treasure and an integral part of India's cultural and historical heritage, emphasizing that its preservation was a matter of utmost public importance. Reaffirming its environmental jurisprudence, the Court held that the **right to a clean and pollution-free environment** is an essential component of **Article 21** of the Constitution. It concluded that industrial pollution within the Taj Trapezium Zone was a major factor contributing to the deterioration of the monument's marble structure and required immediate corrective action. To safeguard the Taj Mahal and its surrounding environment, the Court issued several significant directions:

1. **Relocation of Polluting Industries** – Industries operating on coal and coke and contributing to pollution were directed to relocate outside the TTZ or cease operations if they failed to comply.
2. **Adoption of Cleaner Technologies** – Industrial units were encouraged to switch to cleaner fuels such as natural gas and adopt environmentally sustainable technologies to reduce harmful emissions.
3. **Development of a Green Belt** – The authorities were instructed to undertake large-scale afforestation and create green zones around the Taj Mahal to improve environmental conditions and act as a buffer against pollution.
4. **Strict Environmental Monitoring** – Regulatory agencies were directed to continuously monitor pollution levels and ensure effective implementation of environmental laws and judicial directions to prevent further damage to the monument.

CONCLUSION

M.C. Mehta v. Union of India (2002) transformed environmental jurisprudence in India by linking environmental conservation with the protection of cultural heritage. The Supreme Court recognized that monuments such as the Taj Mahal are not merely architectural structures but irreplaceable symbols of national identity. By directing the relocation of polluting industries,

promoting cleaner technologies, and strengthening environmental regulation, the Court ensured that development and conservation could coexist. The Taj Trapezium Case continues to serve as a guiding precedent for environmental protection, sustainable development, and heritage preservation in India.

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MUKESH & ANR. V. STATE (NCT OF DELHI) & ORS**NIRBHAYA CASE A TURNING POINT IN INDIA'S CRIMINAL JUSTICE SYSTEM**

By- Vishnu Shankar Pilane

(LLM 1st year)

INTRODUCTION

The **Nirbhaya case** stands as one of the most influential criminal law cases in modern India. The horrific gang rape and subsequent death of a 23-year-old physiotherapy student in Delhi on **16 December 2012** shocked the collective conscience of the nation and sparked unprecedented public protests across the country. The incident highlighted serious shortcomings in women's safety, policing, and the legal framework governing sexual offences. Beyond being a criminal trial, the case became a turning point in India's legal and social discourse, prompting extensive reforms in criminal law and drawing attention to issues such as gender justice, victim protection, and juvenile accountability. Its impact continues to shape discussions on women's rights and the criminal justice system in India.

FACTS OF THE CASE

On the night of **16 December 2012**, a young woman and her male companion boarded a private bus in Delhi, unaware of the tragedy that would follow. During the journey, a group of six men brutally attacked them. The male companion was violently assaulted, while the woman was subjected to a horrific gang rape and severe physical abuse. After the attack, both victims were thrown from the moving bus onto the roadside. The woman sustained critical internal injuries and was initially treated in Delhi before being airlifted to a hospital in Singapore for specialized medical care. Despite extensive treatment, she passed away on **29 December 2012**. The incident prompted a swift investigation, leading to the arrest of all the accused. While five of them were prosecuted as adults, one offender, who was below eighteen years of age at the time of the crime, was tried separately under the provisions of the **Juvenile Justice Act, 2000**.

ISSUES BEFORE THE COURT

The courts were called upon to address several important legal issues arising from the case:

1. Whether the accused were responsible for offences including **rape, murder, kidnapping, criminal conspiracy, and other related crimes** under the Indian Penal Code.
2. Whether the extreme brutality and circumstances of the offence justified the imposition of the **death penalty under the “rarest of rare” doctrine**.
3. Whether the existing provisions of the **Juvenile Justice Act, 2000** were adequate to deal with juveniles involved in heinous offences of such gravity.
4. Whether the incident exposed shortcomings in the laws relating to **sexual offences, victim protection, and criminal justice administration**, thereby necessitating legal and policy reforms.

DECISION OF THE COURT

The **Trial Court** found the adult accused guilty of the offences charged and imposed the **death penalty**, considering the extraordinary brutality of the crime. This decision was subsequently upheld by the **Delhi High Court**, which affirmed both the conviction and the sentence. Upon appeal, the **Supreme Court of India** also confirmed the findings of the lower courts and maintained the death penalty. The Court observed that the offence displayed extreme cruelty, barbarity, and a complete disregard for the victim’s dignity and right to life. Taking into account the heinous nature of the crime, the severe suffering inflicted upon the victim, and its profound impact on society, the Court concluded that the case satisfied the criteria of the **“rarest of rare” doctrine**, thereby justifying the maximum punishment. The juvenile accused, however, was dealt with separately under the **Juvenile Justice Act, 2000**, and was sentenced to the maximum period of three years in a special correctional institution as prescribed by the law then in force.

CRITICAL ANALYSIS

The *Nirbhaya case* occupies a pivotal place in Indian criminal law and significantly influenced subsequent legal reforms. In upholding the death sentences, the Supreme Court reiterated that offences marked by exceptional cruelty and inhumanity may attract capital punishment under the “rarest of rare” doctrine laid down in the case of *Bachan Singh v. State of Punjab*. The case also brought attention to shortcomings in the then-existing juvenile justice system. Public concern over the limited punishment available for the juvenile offender led to widespread debate and eventually contributed to the enactment of the **Juvenile Justice (Care and Protection of Children) Act, 2015**, which permits juveniles between sixteen and eighteen years of age to be tried as adults for certain heinous offences. Beyond legislative changes, the case underscored the need for comprehensive reforms in areas such as policing, victim assistance, gender sensitisation, and the timely delivery of justice, while also reigniting discussions on the effectiveness of the death penalty as a deterrent to serious crimes.

CONCLUSION- The Nirbhaya case continues to be regarded as a watershed moment in India's legal and social landscape. Although the courts delivered justice in accordance with the prevailing legal framework, the case's true impact extends far beyond the convictions and sentences. It served as a catalyst for major reforms in criminal law, reshaped the discourse on juvenile justice, and brought issues of women's safety and gender equality to the forefront of public debate. More importantly, the case emerged as a powerful symbol of the demand for justice, accountability, and respect for human dignity. Its influence remains evident in contemporary legal policies and ongoing efforts to combat sexual violence and strengthen the protection of women's rights in India.

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NAVTEJ SINGH JOHAR V. UNION OF INDIA (2018)

A CONSTITUTIONAL TRIUMPH FOR LGBTQ+ RIGHTS

By- Pramod Dattatray Garud

(LLM 1st year)

INTRODUCTION

The judgement *in Navtej Singh Johar v. Union of India* is widely regarded as a landmark in the advancement of constitutional rights in India. Through this historic ruling, the Supreme Court partially invalidated Section 377 of the Indian Penal Code, thereby decriminalizing consensual sexual relations between adults of the same sex. The Court affirmed that constitutional guarantees of equality, dignity, privacy, and personal liberty extend equally to members of the LGBTQ+ community. Beyond its legal significance, the decision represented a major step toward challenging long-standing social stigma and discrimination, promoting a more inclusive understanding of constitutional morality and individual freedom.

BACKGROUND

Section 377 of the Indian Penal Code, enacted during the colonial era in 1860, and criminalized what it described as “carnal intercourse against the order of nature.” Over time, the provision became a source of discrimination and harassment against members of the LGBTQ+ community. The constitutional challenge to this law gained momentum with *Naz Foundation v. Government of NCT of Delhi*, in which the Delhi High Court held that consensual same-sex relations between adults could not be treated as criminal conduct. However, this progressive interpretation was overturned in *Suresh Kumar Koushal v. Naz Foundation*, where the Supreme Court restored the validity of Section 377 and observed that the affected community constituted only a “minuscule minority.” The decision attracted considerable criticism for its narrow approach to constitutional rights and equality. These concerns ultimately led to a fresh constitutional challenge, culminating in the landmark ruling in *Navtej Singh Johar v. Union of India*, which fundamentally altered the legal status of LGBTQ+ rights in India.

LEGAL ISSUES

The Supreme Court was required to determine whether **Section 377 of the Indian Penal Code** was compatible with the fundamental rights guaranteed by the Constitution, particularly:

- **Article 14** – Equality before the law and equal protection of the laws.
- **Article 15** – Protection against discrimination.
- **Article 19** – Freedom of expression and self-identification.
- **Article 21** – Protection of life, personal liberty, dignity, privacy, and autonomy.

The central issue before the Court was whether the State could legitimately criminalize consensual intimate relationships between adults solely on the basis of their sexual orientation, and whether such criminalization violated the constitutional principles of equality, dignity, and individual freedom.

ARGUMENTS OF THE PETITIONERS

The petitioners argued that Section 377 was unconstitutional because it infringed several fundamental rights guaranteed by the Constitution. They contended that the provision violated the right to privacy, which had been recognized as a fundamental right in *Justice K.S. Puttaswamy v. Union of India*, by permitting the State to interfere in the private and consensual relationships of adults. It was further argued that the law discriminated against LGBTQ+ individuals, denying them equal protection and treatment under the law. According to the petitioners, Section 377 undermined personal autonomy and human dignity, fostered stigma and social marginalization, and prevented individuals from freely expressing their identity and forming intimate relationships without fear of criminal prosecution.

SUPREME COURT'S DECISION

On **6 September 2018**, a five-judge Constitution Bench of the Supreme Court unanimously declared that **Section 377** was unconstitutional insofar as it criminalized consensual sexual relations between adults. The Court held that sexual orientation is an inherent and natural aspect of an individual's identity and cannot be subjected to criminal sanction. Emphasizing the

supremacy of constitutional values, the judges observed that **constitutional morality must prevail over prevailing social prejudices**. The Court further affirmed that the Constitution safeguards minority rights and protects individuals from discrimination based on majoritarian perceptions. It concluded that every person, irrespective of sexual orientation, is entitled to live with dignity, equality, privacy, and personal freedom. A particularly memorable observation was made by **Justice Indu Malhotra**, who remarked that *history owes an apology to the LGBTQ+ community and their families for the prolonged denial of their rights and dignity*. This statement came to symbolize the transformative and inclusive spirit of the judgement.

SIGNIFICANCE OF THE JUDGEMENT

1. Affirmation of Equal Constitutional Protection- The judgement unequivocally recognized that members of the LGBTQ+ community are entitled to the same fundamental rights and constitutional safeguards as all other citizens. It emphasized that discrimination based on sexual orientation is incompatible with the principles of equality and human dignity.

2. Advancement of Privacy Jurisprudence- Building upon the ruling in *Justice K.S. Puttaswamy v. Union of India*, the Court affirmed that sexual orientation forms an essential aspect of privacy, personal liberty, and individual autonomy.

1. Emphasis on Constitutional Morality- The Court rejected the notion that societal disapproval could justify restrictions on fundamental rights. It held that constitutional values, rather than prevailing social attitudes, must guide the interpretation and application of the law.

2. Catalyst for Future LGBTQ+ Rights- The decision laid the groundwork for further discussions on LGBTQ+ rights in India, including issues relating to same-sex marriage, adoption, succession, and comprehensive anti-discrimination protections. It remains a foundational judgement in the continuing pursuit of equality and inclusion.

CRITICAL ANALYSIS

The judgement is widely regarded as a powerful example of transformative constitutionalism, where constitutional values are employed to remedy long-standing injustices and promote social

change. By affirming that an individual's identity and sexual orientation cannot be treated as criminal conduct, the Supreme Court significantly strengthened the protection of minority rights in India. At the same time, the Court acknowledged that decriminalization alone could not achieve full equality. Important issues such as legal recognition of relationships, comprehensive anti-discrimination protections, and broader societal acceptance remain unresolved. Although the decision removed the threat of criminal prosecution, the challenge of overcoming social stigma and prejudice continues.

CONCLUSION

The judgement in *Navtej Singh Johar v. Union of India* stands as a landmark affirmation of human dignity, equality, and personal liberty. By recognizing sexual orientation as an intrinsic aspect of individual identity, the Supreme Court brought Indian constitutional jurisprudence in line with the principles of inclusiveness and freedom. The decision brought an end to a colonial-era provision that had long marginalized the LGBTQ+ community and reaffirmed the Constitution's role as a protector of minority rights. Although challenges relating to social acceptance and legal recognition persist, the ruling remains a powerful testament to the idea that constitutional protections must extend to all individuals, particularly those who have historically faced discrimination and exclusion.

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VISHAKA V. STATE OF RAJASTHAN (1997)

THE JUDGEMENT THAT CHANGED INDIAN WORKPLACES

By- Mayuresh Pardeshi

(LLM 1st year)

The decision in ***Vishaka & Others v. State of Rajasthan*** is widely regarded as a landmark in the advancement of women's rights and workplace equality in India. Through this historic judgement, the Supreme Court recognized sexual harassment at the workplace as a violation of fundamental rights and laid down comprehensive guidelines to prevent and address such misconduct. In the absence of specific legislation at the time, the Court established a legal framework that significantly strengthened the protection of women and promoted a safer and more dignified working environment.

The Incident That Sparked a Revolution

The case arose from the ordeal of Bhanwari Devi, who was employed under a government programme in Rajasthan aimed at curbing child marriages. In 1992, while performing her official duties, she encountered strong resistance from members of the local community and was subjected to a brutal gang rape by influential villagers. The incident highlighted the absence of adequate legal mechanisms to protect women from violence and harassment in the course of their employment. Recognising this gap in the law, several women's rights groups, led by Vishaka, filed a Public Interest Litigation before the Supreme Court seeking effective safeguards against workplace sexual harassment.

Constitutional Questions Before the Court

The Supreme Court was called upon to consider several important issues:

- Whether sexual harassment in the workplace amounts to a violation of the fundamental rights guaranteed under the Constitution.
- Whether the judiciary could formulate protective measures in the absence of specific legislation addressing workplace sexual harassment.

- What legal safeguards and preventive mechanisms were necessary to ensure a safe, secure, and dignified working environment for women.

The Supreme Court's Historic Decision

In a unanimous judgement delivered on 13 August 1997, the Supreme Court held that sexual harassment at the workplace infringes the fundamental rights of women guaranteed by the Constitution. The Court observed that such conduct undermines equality, dignity, and the freedom to work in a safe environment. In reaching its decision, the Court relied on Article 14 (equality before law), Article 15 (prohibition of discrimination), Article 19(1)(g) (freedom to practise any profession), and Article 21 (right to life and dignity). The judges emphasised that a secure and respectful workplace is indispensable for the meaningful enjoyment of these constitutional rights by women.

Birth of the Vishaka Guidelines

Recognising the absence of a specific legal framework, the Supreme Court formulated the Vishaka Guidelines, which operated as binding law until suitable legislation was enacted by Parliament. These guidelines required employers and institutions to take effective measures to prevent sexual harassment, establish accessible complaint mechanisms, constitute complaints committees headed by women, conduct awareness and sensitisation programmes, and ensure accountability for maintaining a safe workplace. The Court also provided the first comprehensive definition of sexual harassment, encompassing unwelcome physical contact, sexually colored remarks, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature.

International Law and Judicial Innovation- A notable feature of the judgement was the Supreme Court's reliance on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to reinforce constitutional protections. The Court held that international conventions and norms could be relied upon to fill gaps in domestic law, provided they were consistent with constitutional principles. This approach reflected the judiciary's readiness to draw upon international human rights standards to promote gender equality and strengthen the protection of women's rights in India.

Lasting Impact- The Vishaka judgement brought about a significant transformation in workplace governance and the protection of women's rights in India. It established that sexual harassment is not merely a workplace issue but a violation of fundamental constitutional rights. The judgement placed a clear responsibility on employers to ensure a safe and secure working environment, encouraged the adoption of gender-sensitive policies, and increased awareness about workplace discrimination and harassment. It also laid the groundwork for future legal developments in this area. Most notably, the principles laid down by the Court ultimately led to the enactment of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, which provided a comprehensive statutory framework for preventing and addressing workplace sexual harassment.

Continuing Challenges

Although substantial progress has been made since the Vishaka judgement, effective implementation continues to pose challenges. Many organizations still face difficulties in ensuring full compliance with legal requirements, conducting meaningful awareness programmes, and maintaining properly functioning Internal Committees. Workers in the informal sector, domestic employees, and other vulnerable groups often encounter significant obstacles in accessing legal remedies and institutional support. Consequently, the primary challenge today is not the lack of a legal framework, but the consistent and effective enforcement of the protections already in place.

CONCLUSION

Although substantial progress has been made since the **Vishaka judgement**, effective implementation continues to pose challenges. Many organizations still face difficulties in ensuring full compliance with legal requirements, conducting meaningful awareness programmes, and maintaining properly functioning Internal Committees. Workers in the informal sector, domestic employees, and other vulnerable groups often encounter significant obstacles in accessing legal remedies and institutional support. Consequently, the primary challenge today is not the lack of a legal framework, but the consistent and effective enforcement of the protections already in place.

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INDIAN YOUNG LAWYERS ASSOCIATION V. STATE OF KERALA**THE SABARIMALA WOMEN ENTRY CASE**

By- Pratik Humane

(LLM 1st year)

INTRODUCTION

The decision in Indian Young Lawyers Association v. State of Kerala, commonly known as the *Sabarimala Women Entry Case*, is a landmark judgement in Indian constitutional law. The case examined the tension between religious freedom and gender equality, raising important questions regarding constitutional morality, discrimination, and the extent of judicial intervention in religious practices. At the centre of the dispute was the long-standing custom at the Sabarimala Temple, which barred women between the ages of 10 and 50 from entering the temple. This restriction was defended on the basis that Lord Ayyappa is revered as a Naishtika Brahmachari, or eternal celibate. The Supreme Court was tasked with deciding whether such exclusion was consistent with constitutional guarantees. The judgement is widely regarded as a significant affirmation that fundamental rights and constitutional values must prevail over practices that result in discrimination.

FACTS OF THE CASE

The Sabarimala Temple, managed by the Travancore Devaswom Board, traditionally restricted the entry of women between the ages of 10 and 50. This practice was supported by Rule 3(b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965. Challenging the validity of this exclusion, the Indian Young Lawyers Association filed a Public Interest Litigation before the Supreme Court. The petitioners argued that denying women access to the temple solely on the basis of age and biological factors amounted to discrimination and infringed their fundamental rights. In response, the respondents maintained that the restriction was an essential religious practice followed by devotees of Lord Ayyappa and was therefore protected under Articles 25 and 26 of the Constitution, which safeguard religious freedom.

ISSUES BEFORE THE COURT

The Supreme Court was called upon to determine several important constitutional questions:

1. Whether the exclusion of women between the ages of 10 and 50 from the **Sabarimala Temple** violated the fundamental rights guaranteed under the Constitution.
2. Whether the practice of restricting women's entry constituted an essential religious practice entitled to protection under Article 25.
3. Whether the principle of constitutional morality should prevail over religious customs that result in gender-based discrimination.
4. Whether devotees of **Lord Ayyappa** formed a distinct religious denomination entitled to the protections available under Article 26 of the Constitution.

DECISION OF THE COURT

On 28 September 2018, a five-judge Constitution Bench of the Supreme Court delivered its judgement in the Sabarimala case. By a 4:1 majority, the Court invalidated the practice that barred women of menstruating age from entering the Sabarimala Temple. The majority concluded that the exclusion was inconsistent with the constitutional guarantees of equality, non-discrimination, dignity, and religious freedom under Articles 14, 15, 21, and 25. The Court held that customs founded on gender-based exclusion could not be sustained when they conflict with fundamental rights. Justice Indu Malhotra delivered the sole dissenting opinion, expressing the view that courts should exercise caution in matters involving religious faith and long-standing beliefs unless there is a clear constitutional violation.

Ratio Decidendi

The Supreme Court's decision was founded on several key constitutional principles.

A. Equality Before Law- The majority held that excluding women from the **Sabarimala Temple** solely on the basis of sex amounted to discrimination and violated Article 14 of the Constitution. The Court emphasised that women are entitled to equal access to places of worship

and cannot be denied participation in religious practices because of biological characteristics such as menstruation.

B. Constitutional Morality- A central feature of the judgement was the doctrine of constitutional morality. The Court observed that constitutional values such as equality, dignity, liberty, and justice must prevail over customs and practices that perpetuate discrimination. Religious traditions cannot remain immune from judicial scrutiny when they infringe fundamental rights.

C. Essential Religious Practice Test- The respondents argued that the exclusion of women constituted an essential religious practice of the devotees of **Lord Ayyappa**. The majority rejected this contention and held that the restriction was not an indispensable part of the Hindu faith. Consequently, it was not entitled to constitutional protection under Article 25.

D. Right to Dignity- The Court further held that the exclusionary practice reinforced stereotypes associating menstruation with impurity. Such treatment undermined the dignity, autonomy, and individuality of women, thereby violating the protections guaranteed under Article 21 of the Constitution.

Dissenting Opinion of Justice Indu Malhotra

In her sole dissenting opinion, Justice Indu Malhotra argued that matters of faith and religious belief should generally remain outside the scope of judicial review unless they adversely affect public order, health, or morality. She observed that religious practices are often rooted in faith rather than reason and that courts should be cautious in evaluating their rationality. Justice Malhotra further held that the devotees of Lord Ayyappa constituted a separate religious denomination entitled to manage their religious affairs under Article 26 of the Constitution. Her dissent continues to play a significant role in debates concerning the balance between religious freedom and constitutional rights.

SIGNIFICANCE OF THE JUDGEMENT

Strengthening Gender Justice- The Sabarimala judgement reaffirmed that women cannot be excluded from public religious institutions on discriminatory grounds. It reinforced the constitutional principles of equality, dignity, and non-discrimination.

Expansion of Constitutional Morality- The decision gave greater prominence to the doctrine of constitutional morality, emphasising that constitutional values must guide the resolution of conflicts between fundamental rights and social or religious practices.

Re-examination of Religious Practices- The Court made it clear that religious customs and traditions are not immune from constitutional scrutiny and must conform to the guarantees of fundamental rights.

Influence on Future Cases- The principles laid down in the judgement have shaped subsequent discussions on women's access to religious institutions, the reform of personal laws, and the broader relationship between religious freedom and constitutional values.

CRITICAL ANALYSIS

The Sabarimala judgement has been widely commended for advancing gender equality and promoting a progressive interpretation of constitutional rights. By affirming that women have an equal right to worship, the Supreme Court reinforced the transformative vision of the Constitution and its commitment to inclusiveness. At the same time, the decision attracted criticism from those who viewed it as an excessive judicial intervention into matters of faith. Critics argued that the application of the essential religious practices doctrine requires courts to assess theological issues, potentially extending beyond the judiciary's proper constitutional role. The judgement also led to significant public protests and social controversy, highlighting the continuing tension between constitutional values and long-standing religious traditions. The subsequent referral of review petitions to a larger bench demonstrates that the issues raised by the case remain the subject of ongoing constitutional debate and judicial consideration.

CONCLUSION

The **Sabarimala Women Entry Case** remains a landmark in Indian constitutional jurisprudence. Through this judgement, the Supreme Court reaffirmed that equality, dignity, and individual liberty are core constitutional values that cannot be overridden by discriminatory traditions. While the decision generated considerable debate and controversy, it reinforced the principle that the exercise of religious freedom must conform to constitutional guarantees. At the same time, the dissent of **Justice Indu Malhotra** underscored the importance of maintaining a balance between judicial review and respect for religious autonomy. The case continues to serve as a significant precedent in discussions concerning gender justice, religious freedom, and constitutional morality, shaping ongoing legal and academic debates on the extent of judicial intervention in religious practices.

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