



# **HAJI ALI DARGAH TRUST V. STATE OF MAHARASHTRA (2016)**

*Constitutional Interpretation & Basic Structure*

## **PRELIMS SNAPSHOT**

### ◆ 1. Prelims Snapshot (Fact Box)

- 📅 Year: 2016
- ⚖️ Case: Haji Ali Dargah Trust v. State of Maharashtra & Others
- 👤 Bench Strength: 2 Judges (Bombay High Court; upheld by Supreme Court)
- 📖 Key Articles Involved: Article 14, Article 15, Article 25
- 🧠 Doctrine Evolved: Equal access to religious spaces is protected under Fundamental Rights
- 💬 Famous Line: "No law grants the right to discriminate against women in matters of public worship."

## **CONTEXT & BACKGROUND**

In 2012, the Haji Ali Dargah Trust in Mumbai imposed a ban on women entering the inner sanctum (mazaar) of the shrine. This exclusion marked a reversal of earlier practice, where women had access, and was justified by the Trust on grounds of religious purity



and tradition. The ban was challenged by Bharatiya Muslim Mahila Andolan (BMMA) and other petitioners, arguing that it violated gender equality and freedom of religion under the Constitution.

## **CONSTITUTIONAL ISSUES RAISED**

- Does denying women access to the inner sanctum violate Articles 14 and 15 (equality and non-discrimination)?
- Can religious institutions restrict access to public religious places under Article 25?
- Is the practice an essential religious practice, immune from judicial scrutiny?

## **VERDICT & RATIO DECIDENDI**

The Bombay High Court, in a landmark decision, held that:

- The ban on women was unconstitutional, violating Articles 14, 15, and 25
- The Trust, managing a public religious institution, cannot enforce discriminatory practices
- The practice was not essential to Islam and could not override constitutional guarantees



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## MAJOR SUPREME COURT JUDGEMENTS

- The court directed the restoration of women's access to the inner sanctum

The Supreme Court later upheld the decision by refusing to stay the High Court verdict, reinforcing the ruling.

### **DOCTRINE / PRINCIPLE EVOLVED**

- Right to equality and non-discrimination applies to access in religious spaces
- Customary practices cannot override Fundamental Rights
- Article 25 rights are subject to public order, morality, and health, and do not permit gender-based exclusion in public shrines





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# MAJOR SUPREME COURT JUDGEMENTS

## IMPACT & LEGACY

- Restored equal access to women at the Haji Ali Dargah
- Became a pivotal moment in the women's rights movement within religious contexts
- Strengthened the idea that public religious institutions must uphold constitutional values
- Set the stage for progressive judgments like Sabarimala (2018) and supported ongoing debates around uniformity in religious access laws

## RELEVANCE FOR UPSC

- GS Paper 2:
  - Intersection of Fundamental Rights and religious freedom
  - Gender justice in public institutions
  - Secularism and equality in Indian context
- GS Paper 4 (Ethics):
  - Justice, fairness, equality vs. tradition
- Essay Paper:
  - Suitable for topics on Faith and Feminism, Tradition vs. Reform, Gendered Spaces and Constitutional Morality
- UPSC Interview:
- Relevant in discussions on women's access to religious institutions, equality reforms, and judicial intervention in religious affairs

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