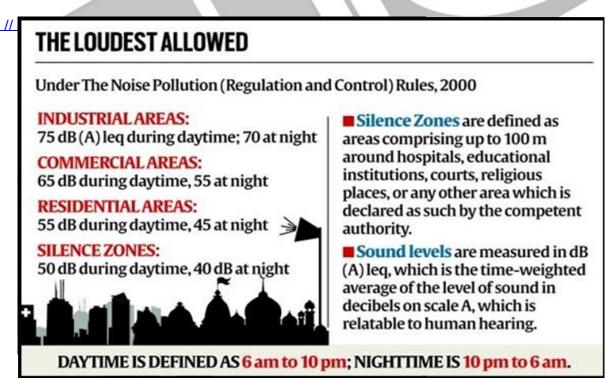


## **Essential Religious Practice**

## Source: IE

- The Bombay High Court ruled that using **loudspeakers** is **not an essential religious practice** protected under **Article 25** or **Article 19(1)(a)** of the Constitution.
- Essential Religious Practice (ERP): <u>ERP</u> refers to practices integral to a religion's doctrine, protected under <u>Article 25</u>. The judiciary determines ERP based on religious tenets.
  - Santhara (Sallekhana): In 2015, the Rajasthan High Court ruled Santhara as nonessential to religion, but the Supreme Court stayed the order, allowing the practice to continue.
  - Triple Talaq Case: The SC invalidated <u>instant triple talaq</u>, ruling it was not an essential Islamic practice and violated women's rights.
- HC Ruling Related to Loudspeaker: Bombay HC in Dr Mahesh Vijay Bedekar v
  Maharashtra case, 2016, ruled for strict enforcement of noise pollution rules.
  - It clarified that loudspeakers are not essential to religion and banned their use from 10 pm to 6 am and in silence zones, with exceptions for specific cultural or religious events (15 days/year).
- Noise is considered as an "air pollutant" and regulated under the <u>Air (Prevention and Control of Pollution)</u> Act, 1981.
  - It mandates a maximum noise level of 55 decibels in residential areas during the day and 45 decibels at night.



Read More: Supreme Court on Religious Practices

