



REPORTABLE
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO(S). 1474 OF 2020

**ALL INDIA SHIROMANI
SINGH SABHA** **....PETITIONER(S)**

VERSUS

**UNION OF INDIA
AND OTHERS** **...RESPONDENT(S)**

O R D E R

Mehta, J.

1. Heard.
2. Applications seeking intervention are allowed.
3. The petitioner society, a registered charitable and religious organisation, has instituted this writ petition by way of a Public Interest Litigation under Article 32 of the Constitution of India, *inter alia*, seeking the following reliefs: -

a. Issue a Writ, Order, or Direction in the nature of Mandamus or any appropriate Writ directing the Respondents to issue appropriate

directions/orders/guidelines regarding issuance of specific guidelines for declaration of Public/Gazetted holiday in India by Respondents *viz.* Union and State governments; and/or

b. Issue a Writ of Mandamus or any other appropriate writ, order or direction to Respondents to declare the Tenth Sikh Guru “Guru Govind Singh Jee” Prakash Parv as Gazetted/Public Holiday to be observed all over India including but not restricted to the States/Union Territories of India in which the Sikhs have significant population as well as in the States which is connected to the life and activities of Tenth Sikh Guru “Guru Govind Singh Jee”.

4. Shri Vikas Singh, learned senior counsel representing the petitioner, submits that the existing framework governing the declaration of public holidays in India lacks any statutory foundation and is instead regulated by executive instructions. It is contended that such absence of codified standards results in arbitrary and discriminatory exercise of discretion by the executive, thereby violating Article 14 of the Constitution of India.

5. It is further submitted that, in the absence of a transparent and uniform policy, the Union and the States have adopted a ‘pick and choose’ approach in recognising certain occasions as gazetted holidays while excluding others of equal national, historical, and cultural significance. Such inconsistency

undermines the objectivity expected in a pluralistic secular society and results in marginalisation of significant cultural and historical observances. Emphasis is placed on the stature of Guru Gobind Singh Ji, and it is urged that, having regard to his immense contribution to the nation's spiritual and moral fabric, his birth anniversary (Prakash Parv) ought to be accorded the status of a nationwide gazetted holiday.

6. Learned senior counsel further submits that in a country as diverse as India, the formulation of a uniform policy is necessary to ensure fairness, transparency, and consistency in the declaration of public holidays. In support of this contention, reference is made to foreign jurisdictions where such matters are governed by statutory frameworks.

7. Thus, it is urged that the existing system, being unguided and non-uniform, results in arbitrary exercise of executive discretion, and that the continued non-recognition of the Prakash Parv of Guru Gobind Singh Ji as a nationwide gazetted holiday necessitates appropriate directions from this Court for framing comprehensive guidelines governing such declarations.

8. We have given our thoughtful consideration to the submissions advanced at the bar and have perused the material available on record.

9. At the outset, it must be observed that the tenets of Sikhism place paramount emphasis on remembrance, honest labour, and selfless service. The life of Guru Gobind Singh Ji stands as a testament to courage, discipline, and unwavering commitment to duty, even in the face of the gravest adversity. His teachings, rooted in the concept of '*Kirat Karo*' (earn an honest living) and '*Vand Chakko*' (share what you earn), illuminate a path of active engagement with one's responsibilities rather than disengagement therefrom. This Court records its deepest reverence for the Tenth Guru, whose life was a tireless crusade for justice and the fulfillment of one's earthly duties. In this light, the celebration of his legacy is perhaps best achieved through the dedicated performance of duties toward society and the nation rather than a symbolic show of respect by demanding a holding in reverence.

10. Having recorded our deep respect for the legacy of the Tenth Guru, we now proceed to examine the principal legal issue, namely, whether this Court, in

exercise of jurisdiction under Article 32 of the Constitution of India, can direct the executive to declare a specific occasion as a nationwide gazetted/public holiday or to frame a uniform policy governing such declaration.

11. It is well settled that matters of policy determination, particularly those involving administrative, economic and governance considerations, lie within the domain of the executive. The declaration of public holidays is one such policy decision, requiring a careful balancing of factors such as administrative efficiency, continuity of essential services, economic implications, and accommodation of the country's diverse socio-cultural practices.

12. In this context, we must be mindful of the fact that the country's diverse diaspora already enjoys a variety of holidays based on religious beliefs. Our national and regional calendars are replete with observances reflecting our rich pluralism. The expansion of the list of gazetted holidays is a matter of administrative calibration, and any indiscriminate addition would adversely impact governance and public productivity. As a developing nation, the focus

must remain on the dignity of labour and the continuity of work. Any judicial mandate to increase non-working days involves a line-drawing exercise that is inherently policy-driven and not amenable to judicial determination.

13. India's federal structure permits, and indeed necessitates, a degree of variation in executive decision-making across the States. The material on record, including affidavits filed by several States, reinforces the position that declaration and classification of public holidays are shaped by administrative exigencies and regional socio-cultural considerations. Such determinations are best left to the wisdom of the concerned executive or competent authority, who are best positioned to evaluate the relevant localized factors. In a federal polity, divergence in approaches across jurisdictions does not, by itself, amount to arbitrariness or discrimination.

14. The contention that the absence of a uniform policy results in discrimination is untenable. Article 14 of the Constitution of India does not mandate absolute uniformity in matters of policy where differentiation is founded on rational considerations.

The classification of holidays into ‘gazetted’ and ‘restricted’ categories is itself indicative of a calibrated administrative approach. In the absence of manifest arbitrariness or *mala fides*, such policy choices do not warrant judicial interference.

15. Similarly, the reliance on Article 25 of the Constitution of India is totally misplaced. While the freedom of religion guarantees every individual the right to profess, practice and propagate religion, it does not extend to a right to seek State recognition of a religious occasion in the form of a compulsory nationwide public holiday.

16. The jurisdiction under Article 32 is meant for enforcement of fundamental rights and cannot be expanded to convert this Court into an authority for standardising cultural or commemorative practices across the country. The relief sought, if granted, would amount to judicial transgression into an area requiring continuous assessment of socio-cultural priorities and administrative feasibility, an exercise best left to the executive.

17. We are also mindful of the broader implications of the relief sought. Any direction to declare a particular day as a nationwide gazetted holiday, or to

mandate a uniform policy, may open the floodgates to similar claims from diverse sections of society. In a country marked by immense cultural diversity, such an approach may result in an impractical expansion of public holidays, thereby adversely affecting governance and administrative functioning of the country.

18. While the sentiment underlying the petition is genuine and rooted in deep reverence, such considerations, however weighty, do not furnish a justiciable basis for issuance of a writ under Article 32 of the Constitution of India.

19. Accordingly, the writ petition is dismissed.

20. Pending application(s), if any, shall stand disposed of.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
MARCH 17, 2026.