Polity & Governance · GS - II

Examine the constitutional safeguards governing compulsory acquisition of private property in India. How does the requirement of public purpose prevent arbitrary exercise of State power?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 06/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Article 300A, constitutional right to property, Forty-Fourth Constitutional Amendment, public purpose, lawful acquisition procedure, compensation, judicial review, doctrine of colourable exercise of power, protection against arbitrary State action and balance between private rights and development.

Model Answer

Introduction

The Right to Property is protected under Article 300A of the Constitution, which states that no person shall be deprived of property except by authority of law.

Constitutional Safeguards

The 44th Constitutional Amendment, 1978 removed the Right to Property from the list of Fundamental Rights. However, it remains a constitutional right. Compulsory acquisition must have legal authority, follow prescribed procedures and satisfy applicable requirements of public purpose and compensation.

Importance of Public Purpose

Public purpose ensures that acquisition serves legitimate public objectives rather than arbitrary private interests. Courts can examine whether the stated purpose is genuine and whether statutory powers have been misused.

Judicial Review

The doctrine of colourable exercise of power prevents authorities from indirectly achieving objectives beyond their lawful powers. Judicial review protects citizens against arbitrary executive action.

Conclusion

Land acquisition is an important instrument of development, but it must remain constitutionally accountable. Transparency, lawful procedures and genuine public purpose are essential to protect property rights and maintain public confidence.

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