

Abuse of State Power Against Jyotirmath Sankaracharya Ji

**A Civil Society Fact-Finding Report
on Prayagraj Magh Mela 2026**

FACT-FINDING COMMITTEE

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Prefatory Note

Civilisations are not sustained merely by political power, economic strength, or administrative systems. They endure through continuity of memory, reverence for institutions, and respect for those traditions that connect a people to their civilisational consciousness across millennia.

The events examined in this Report are therefore not to be viewed as an isolated administrative controversy arising during a religious congregation. They raise questions of far deeper significance. At issue is the relationship between the modern secular State and the ancient civilisational institutions of Hindu society; the limits of governmental power in matters of religion; and the constitutional balance between administrative authority and religious autonomy.

The Magh Mela and Kumbh Mela are not State-created events. They are among the oldest continuing civilisational congregations in human history, sustained through uninterrupted religious tradition long before the rise of the modern Indian State. The State did not create these institutions; it inherited them. Its role, therefore, is necessarily limited: to facilitate public order, safety, public facilities, sanitation, and civic administration, while respecting the religious structure and authority that give these congregations their very meaning and legitimacy.

A secular order does not authorise the State to sit in judgment over religious legitimacy. It does not permit secular officials to determine who is or is not Sankaracharya Ji, to alter established religious protocol, or to subordinate religious institutions to bureaucratic command. The moment the State assumes such authority, the principle of secularism itself stands fundamentally

distorted. A secular State protects religious freedom; it does not administer religion.

The material examined by the Committee discloses a deeply disturbing sequence. The traditional ceremonial palki procession of the Jyotirmath Sankaracharya Ji — an ancient religious practice accorded the highest ceremonial precedence in Hindu sacred congregations — was obstructed near its culmination despite being escorted by the police. Devotees, disciples, and Ved Vidyarthi (Batuks) were subjected to force and humiliation. Thereafter, secular authorities intruded into questions concerning the status of the Jyotirmath Sankaracharya Ji, followed by the initiation of criminal proceedings marked by serious inconsistencies and troubling procedural irregularities.

These events cannot be understood merely in terms of law and order. They touch upon something far more fundamental: the limits of secular State authority in matters concerning religious institutions that embody Hindu civilisational continuity.

History demonstrates that the survival of Hindu religious institutions was neither automatic nor costless. Across centuries of iconoclastic Islamic invasions and rule, destruction of temples, disruption of sacred practices, and sustained civilisational pressures, Hindu society preserved its religious traditions through immense sacrifice, social resilience, spiritual leadership, and continuous collective resistance. The continuity of institutions such as the Mathas, temples, akharas, and sacred congregations is therefore not evidence of historical inevitability, but of the sustained determination of generations of Hindus who refused to permit the extinguishment of their religious inheritance.

The ceremonial palki procession of the Sankaracharya Ji itself forms part of that civilisational continuity. During periods when access to sacred congregations and ritual bathing was obstructed under Islamic rule, Hindu society struggled, often at immense cost, to restore these practices and preserve their sanctity. That continuity, however, cannot be assumed to be permanently secure. No religion survives merely by invoking its antiquity or by relying upon the sacrifices of earlier generations while remaining indifferent

to contemporary institutional erosion. Every generation inherits not only the benefits of a civilisation, but also the responsibility to preserve, protect, and strengthen it within the framework of its own times. In a constitutional democracy, that responsibility necessarily requires lawful, intellectual, institutional, and social engagement to ensure that religious freedom, religious autonomy, and civilisational continuity are not progressively weakened through administrative encroachment or structural imbalance.

Having spent decades in policing, criminal investigation, and public administration, I am fully conscious of the necessity of lawful State authority. Public order is indispensable in a democratic society. Equally, however, governance under law requires restraint. The coercive power of the State is not absolute. It is bounded by legality, institutional discipline, and respect for religious traditions protected under the Constitution itself.

The purpose of this Report is therefore not to inflame sentiment or deepen divisions. Nor is it to place any individual beyond lawful scrutiny. The Committee has consciously refrained from adjudicating criminal guilt, which belongs exclusively to the domain of competent courts. The inquiry has instead sought to examine whether the sequence of events discloses institutional overreach, abuse of process, and structural imbalance in the relationship between secular administration and Hindu religious institutions.

The findings, in my respectful view, raise issues that deserve serious national reflection.

No democracy can remain healthy if the immense machinery of the State—administrative, police, and prosecutorial—is perceived as crossing the line from lawful regulation into selective humiliation, delegitimation, or coercive intrusion in to Hindu religious life. Equally, no civilisation can preserve continuity if its highest religious institutions are steadily reduced to subordinate entities functioning at the sufferance of bureaucratic power.

India's constitutional framework does not require hostility between religion and the State. It requires balance. The State must govern civic affairs; religious institutions must govern religious

affairs. When these boundaries are respected, both orderly governance and religious harmony are strengthened. When they are blurred, friction, distrust, and institutional conflict inevitably follow.

The events examined in this Report are not isolated irregularities but manifestations of a deeper structural imbalance in the relationship between the secular State and Hindu religious institutions. The progressive expansion of governmental control into Hindu religious domains has created recurring friction, institutional conflict, and increasing encroachment into matters that properly belong to Hindu religious authorities. Unless addressed through principled constitutional and legislative reform, such conflicts are likely to recur.

This issue deserves serious consideration from all stakeholders in public life — political parties across ideological lines, civil society organisations, academia, constitutional scholars, jurists, media, public intellectuals, and Hindu religious institutions. At stake is a foundational question: whether the secular State shall remain confined to its legitimate sphere of public order, safety, infrastructure, and civic administration, or continue to intrude into matters of Hindu religion and religious governance.

The segregation of religion and the State is the very essence of secularism. A genuinely secular State protects religious freedom but does not administer religion or determine religious legitimacy. The Committee has therefore proposed urgent structural and legislative reforms to restore this constitutional balance. These recommendations merit immediate and serious consideration.

The preservation of constitutional balance and Hindu civilisational continuity ultimately depends upon the willingness of the State to recognise the limits of its own authority in matters of religion.

It is hoped that this Report will be read not through the lens of political partisanship, but as an invitation to reflect upon larger constitutional and civilisational questions that extend far beyond the events immediately under examination.

We have consciously chosen to release this Report at Kashi — the timeless heart and mind of Sanatana Dharma, and the pre-eminent centre of Hindu religious, spiritual, intellectual, and civilisational consciousness since time immemorial.

This Report is being published in a bilingual flip-format volume, with the English and Hindi texts presented independently from opposite ends of the book and carrying equal textual status. While both versions seek to faithfully convey the substance and spirit of the Report, the English text shall prevail in the event of any interpretive inconsistency.

Lastly, I place on record my appreciation to “THE MOVEMENT FOR EQUAL RIGHTS FOR HINDUS” for undertaking the publication and wider dissemination of this Report.

12 May 2026

M. Nageswara Rao
Former Director, CBI

Principal Findings

On behalf of civil society, the Committee undertook an inquiry into the events of 18 January 2026 at the Magh Mela, Prayagraj, including the obstruction of the ceremonial palki procession of the Jyotirmath Sankaracharya Ji for holy Ganga snan on the sacred occasion of Mauni Amavasya, and the subsequent actions of the administration, police, and political executive.

A. Magh Mela Incident

1. The illegal and arbitrary obstruction of the ceremonial palki procession of the Jyotirmath Sankaracharya Ji disrupted an established and constitutionally protected Hindu religious practice.
2. The grounds subsequently advanced by the authorities — namely crowd-control and stampede concerns — are unsupported by contemporaneous material and constitute an ex post facto rationalisation.
3. The use of force against peaceful devotees and Batuks, including the degrading act of dragging Batuks by their shikhas, was wholly unlawful and constituted a grave abuse of State power.
4. The subsequent notices issued by secular State authorities requiring the Jyotirmath Sankaracharya Ji to establish his legitimacy constituted a direct assault on the authority and dignity of the highest Hindu religious office.

B. Political Targeting and POCSO Proceedings

5. The targeting of the Jyotirmath Sankaracharya Ji followed his sustained public criticism of anti-Hindu policies and actions of the RSS-BJP ruling establishment, including increasing State and organisational control over Hindu religious institutions.

6. The FIR and subsequent proceedings under the POCSO Act disclose strong indicators of a motivated misuse of criminal process intended to harass, publicly discredit, and delegitimise both the Jyotirmath Sankaracharya Ji and the institution of Sankaracharya itself.
7. The conduct and public statements of the Hon'ble Chief Minister, including "Kalanemi-like" references to the Jyotirmath Sankaracharya Ji and questioning his legitimacy, reveal a coordinated abuse of State power directed against the Jyotirmath Sankaracharya Ji.

C. Constitutional and Structural Issues

8. The questioning of the legitimacy of the Jyotirmath Sankaracharya Ji by the State raises a serious issue of constitutional propriety. Just as the legitimacy of Prime Minister or a Chief Minister is not questioned once constitutional procedure is duly followed, the secular State has no constitutional authority to question or determine who is or is not a Sankaracharya.
9. Religious institutions follow well-established and time-tested systems of succession. Shri Yogi Adityanath Ji's questioning of the legitimacy of the Jyotirmath Sankaracharya Ji equally places his own position as Mahant of the Gorakhnath Peeth — attained through the same traditional process of succession — under question.
10. While the protocol and ceremonial dignity of constitutional authorities are meticulously protected in secular State functions, Hindu religious authorities in State-administered Hindu religious events are subordinated to bureaucratic control, reflecting an entrenched pattern of secular encroachment upon Hindu religious institutions.
11. No comparable regime of State control over the religious institutions and events of Islam or Christianity exists, revealing a discriminatory and anti-Hindu application of secular State power.
12. Taken cumulatively, the actions examined in this Report constitute a grave abuse of State power directed against

the Jyotirmath Sankaracharya Ji and the institution of Sankaracharya itself.

D. Recommendations

Since the events examined in this Report have caused serious injury to the dignity of Hindu religious institutions and generated avoidable conflict between the State and one of the highest Hindu religious offices — particularly when the State itself is headed by a Mahant of the Gorakhnath Peeth — immediate corrective measures are necessary in the larger interests of Hindu society and institutional harmony.

1. Immediate Measures:

- (i) Since the abuse of State power against the Jyotirmath Sankaracharya Ji emanated from the State authorities, the responsibility for resolving the issue primarily rests with the head of the State Government. Accordingly, the Hon'ble Chief Minister Shri Yogi Adityanath Ji should initiate a process of reconciliation and institutional dialogue with the Jyotirmath Sankaracharya Ji for an amicable resolution of the issues involved.
- (ii) Further, the Hon'ble Chief Minister should direct the concerned administrative and police officials to tender an unconditional public apology to the Jyotirmath Sankaracharya Ji, his disciples, and Hindu society.
- (iii) In view of repeated threats, the Hon'ble Chief Minister should ensure enhanced security for the Jyotirmath Sankaracharya Ji.

2. Structural Measures:

- (i) Structural and legislative reforms are necessary to end continuing State control over Hindu religious institutions. A statutory autonomous body — the Uttar Pradesh Hindu Dharma Parishad — comprising traditional Hindu religious authorities should be established to guide and supervise Hindu religious affairs, while the role of the State should remain confined strictly to public order, safety, health, and infrastructure, thereby implementing the constitutional principle of separation between religion and the State.

Introduction

This Report presents the findings of an independent fact-finding inquiry into the events of 18 January 2026 at the Magh Mela, Prayagraj, involving the obstruction of the traditional ceremonial palki (palanquin) procession of the Jyotirmath Sankaracharya, Swami Avimukteshwaranand Saraswati Ji, for holy Ganga snan on the sacred occasion of Mauni Amavasya, the use of force by the administration and police, and subsequent developments.

The inquiry extends beyond the immediate incident to examine the sequence of administrative actions, criminal proceedings under POCSO, and the role of State authorities, in order to assess the full course of events and determine whether they disclose a broader structural pattern. It further examines the institutional and structural issues at the interface between secular State power and established religious practice, including the scope and limits of State authority in relation to Hindu religious institutions and congregations.

The inquiry was undertaken in the absence of any independent judicial commission of inquiry, with the objective of establishing an evidence-based account of the events, assessing the legality and propriety of the conduct of the authorities concerned, and identifying the wider institutional and constitutional implications resulting therefrom. The Report also recommends appropriate institutional, legal, and policy measures necessary to address the concerns identified and to prevent recurrence.

The Report is structured as follows:

Section 1 sets out the background and context;

Section 2 explains the constitution and scope of the inquiry;

Section 3 outlines the methodology and evidentiary basis;

Section 4 presents analysis and conclusions;

Section 5 examines the structural implications arising from the events; and

Section 6 contains recommendations, including immediate measures and long-term institutional and legislative reforms.

The Report seeks to present a coherent and evidence-based account of the events in question and to situate them within their broader institutional and constitutional context, with a view to informing public understanding and appropriate corrective measures.

1. Background and Context

1.1 Civilisational and Religious Significance of Magh and Kumbh Melas

The Magh Mela at Prayagraj is a longstanding Hindu religious congregation governed by established ritual norms and civilisational practices. It centres on ritual bathing at the Triveni Sangam—the confluence of the Ganga, Yamuna, and the invisible Saraswati—whose sanctity is deeply rooted in scriptural tradition, including the Puranas.

The Magh Mela is observed annually during the Hindu month of Magh, commencing on Pausha Purnima and concluding on Maha Shivaratri. This period, spanning approximately one and a half months, constitutes a continuous cycle of ritual observance centred on Magh Snan, which is regarded in scriptural tradition as highly meritorious when performed at a sacred tirtha, particularly at the Sangam.

Within this cycle, specific *tithis* are designated for heightened ritual significance. Among them, Mauni Amavasya occupies the pre-eminent position. It represents the convergence of *Amavasya* (no moon or new moon), the sacred month of Magh, and the sanctity of the Sangam. On this occasion, the ritual bath is traditionally regarded as Divya Snan—that is, a supremely sacred and spiritually elevated act of purification. Over time, particularly during the medieval and later periods, this came to be referred to in colloquial usage as “Shahi Snan”, a term that does not reflect the original Sanskritic conceptualisation of the practice.

The significance of Mauni Amavasya is further heightened by the observance of intensified ascetic discipline. It is therefore the principal bathing occasion of the Magh cycle and draws the largest congregational participation.

It is essential to recognise that the Kumbh Mela at Prayagraj is not a separate or independent event distinct from the Magh Mela. Rather, it is the same Magh Mela, observed under specific astrological configurations that occur approximately once every twelve years. During such periods, when prescribed planetary alignments—particularly relating to Jupiter (*Guru*) and the Sun—coincide with the month of Magh, the annual Magh Mela assumes the form known as the Kumbh Mela.

Accordingly, the temporal framework remains identical: the Kumbh Mela is conducted over the same period—from Pausha Purnima to Maha Shivaratri—and follows the same sequence of ritual observances and bathing days, including the centrality of Mauni Amavasya. The distinction lies not in the nature or timing of the event, but in its astrological significance and scale, with the Kumbh Mela representing a period of greatly intensified religious merit and expanded participation.

Thus, while the Magh Mela is an annual religious congregation, the same observance, when it occurs under the prescribed approximately twelve-year astrological cycle, is known as the Kumbh Mela. The two are therefore not distinct institutions but different manifestations of a single continuous civilisational tradition.

The Magh Mela, in both its annual and Kumbh forms, functions through recognised conventions governing movement, sequencing, and ritual performance. These conventions arise from within the dharmic tradition and are treated by participating religious institutions and devotees as binding norms. The event is therefore not an unregulated public gathering, but a religious congregation structured by internal discipline, hierarchy, and scripturally grounded practice.

This position has important constitutional implications. The Magh Mela and Kumbh Mela are not creations of the modern State. They are civilisational institutions that pre-date the State and derive their legitimacy from Hindu religious tradition. The role of the State is therefore necessarily limited to facilitation—public order, safety, infrastructure, and civic administration—and does not extend to

interference with, alteration of, or adjudication upon established religious norms, practices, or hierarchy.

1.2 Position of the Sankaracharya Ji

The institution of the Sankaracharya Ji, associated with the four āmnāya Mathas established by Adi Sankaracharya, occupies a position of the highest doctrinal and spiritual authority within the Hindu religious order. Jyotirmath, located in the Himalayan region, is one of these traditional centres.

The presence of the Sankaracharya Ji at major religious congregations carries institutional and functional significance. It directly influences the organisation and conduct of ritual activity within the established religious hierarchy.

A central feature of such participation is the ceremonial palki procession, which marks the movement of the Sankaracharya Ji along with disciples and followers. This mode of movement is integral to the dignity of the office and continuity of established practice. While administrative arrangements coordinate route and timing, the character of the procession remains inherently religious and ceremonial, and its accommodation forms part of the accepted functioning of large Hindu congregations.

1.3 Historical Continuity of the Palki Tradition

During periods of Muslim rule, access to the Sangam for ritual bathing on sacred occasions such as the Kumbh and Magh Melas was prohibited and repeatedly disrupted. In response, the Peshwa rulers undertook deliberate military and political action to reclaim and restore these dharmic practices. Their intervention was not merely administrative but civilisational in character: it reasserted the right of Hindus to perform Ganga snan and reinstated the religious order governing such congregations.

This restoration included the re-establishment of ceremonial palki processions of the Sankaracharya Ji and other pre-eminent religious authorities. These processions came to be historically associated with the assertion and protection of Hindu religious rights under Maratha patronage and are commonly referred to as the

“Peshwai” procession. The practice, therefore, is not incidental; it is integrally linked to the historical defence and reconstitution of Hindu religious life at the Sangam.

At the same time, the ceremonial palki procession of the Sankaracharya Ji cannot be reduced to a Maratha-era development. It forms part of a far older and continuous religious tradition traceable to the time of Adi Sankaracharya himself. Material relating to the Jyotirmath tradition demonstrates that the movement of the Sankaracharya Ji in a ceremonial palki—particularly in major religious journeys, institutional functions, and sacred processions—has long been embedded in the functioning of the Math and has continued across centuries as a stable and integral feature of its religious practice.

This position is not merely internal to the tradition but finds independent affirmation in judicial authority. A decision of the Privy Council, London (1843 CE, reported in 3 Moore’s Indian Appeals 198), records that the Sankaracharyas of the Sringeri tradition travelled in ceremonial palkis on special occasions and expressly notes that this practice originated with Adi Sankaracharya himself. The decision further recognises the ceremonial palki as a distinctive attribute of the office of the Sankaracharya, thereby confirming its long-standing, institutional, and non-contingent character.

The nature of the practice must therefore be properly understood. In the case of the Sankaracharyas—the heads of the aamnaaya Mathas—the palki is not a matter of convenience, privilege, or personal preference. It is an institutional form. It signifies the dignity of the *Peetham* and embodies the principle that the Sankaracharya Ji does not act as an individual religious figure but as the living representative of an enduring doctrinal seat established by Adi Sankaracharya. The mode of movement is thus inseparable from the office itself.

This institutional logic has an exact parallel in the secular constitutional order. The ceremonial movement of high constitutional functionaries—such as the President, Prime Minister, Governors, and Chief Ministers—is neither incidental nor discretionary. It is structured, regulated, and protected because those individuals

represent constitutional offices whose dignity must be maintained in public life. The form of movement, in such cases, is a function of the office, not the individual. The ceremonial palki procession of the Sankaracharya Ji operates on the same principle within the Hindu religious domain: it expresses the authority, continuity, and institutional identity of the high religious office.

Accordingly, the ceremonial palki procession constitutes a historically continuous, doctrinally grounded, and judicially recognised religious practice. It is neither ornamental nor optional; it is integral to the manner in which the office of the Sankaracharya is manifested in public religious life. Consequently, its interruption, alteration, or forced abandonment is not a minor procedural adjustment but a direct interference with an established religious practice of deep civilisational significance.

In constitutional terms, the foregoing establishes that the ceremonial palki procession of the Sankaracharya Ji constitutes an essential component of Hindu religious practice in the context of religious congregations and events. As such, it falls within the protection of Article 25 of the Constitution, which guarantees the freedom to practise religion, and Article 26, which protects the right of religious denominations to manage their own affairs in matters of religion. The continuity, doctrinal basis, and judicial recognition of the practice place it squarely within the category of protected religious activity, beyond the legitimate domain of State interference except on constitutionally permissible grounds.

1.4 Statutory Framework Governing the Magh Mela

1.4.1 Statutory Basis

The Magh Mela at Prayagraj is administered and facilitated under the Uttar Pradesh Prayagraj Mela Authority Act, 2017, which replaced the United Provinces Melas Act, 1938 in its application to Kumbh and Magh Melas. The Act provides for the constitution of a Mela Authority and defines its powers in relation to planning, development, and management of the Mela area.

1.4.2 Institutional Composition

The Mela Authority is composed entirely of government functionaries and headed by the Divisional Commissioner,

Prayagraj and other senior officials. The statutory framework does not provide for the inclusion of Hindu religious heads or representatives of traditional religious institutions, nor does it mandate structured consultation with them.

Given that the Mela is fundamentally a religious congregation governed by established traditions, this exclusion constitutes an assault on Hindu religion.

1.4.3 Functional Responsibilities

The Authority is entrusted with administrative and facilitative responsibilities, including provision of civic amenities, infrastructure development, maintenance of public health, and arrangements for public order and safety. These functions are logistical in nature and require advance planning, particularly for peak bathing days such as Mauni Amavasya.

1.4.4 Limits of Mela Authority and Religious Domain

The statutory powers of the Mela Authority are confined to administrative and logistical domains and do not extend to matters of religious doctrine, status, or ceremonial precedence. The Authority has no jurisdiction to determine religious status, question traditional hierarchy, or interfere with established ceremonial practices. Any such intervention constitutes an overreach into the domain of religious practices and institutions, which ought to remain outside the scope of secular authority.

1.4.5 Interface Between Administration and Religious Institutions

The conduct of the Magh Mela requires interaction between governmental authorities and religious institutions within clearly defined boundaries. Governmental authority governs logistics and public order; religious institutions govern ritual and ceremonial practice.

The material examined reveals no structured engagement by the administration with representatives of traditional Hindu religious institutions—either in preparation or during the Mela—to ascertain requirements or ensure adherence to established traditions.

This absence has serious consequences and implications. It reflects a mode of administration that proceeded without incorporating the inputs of those whose presence and participation is integral to the religious character of the event. The deliberate sidelining of Hindu religious authorities has resulted in an alarming shift in the basic character of the Magh Mela as well as the Kumbh Mela, whereby a traditionally religious congregation has been administered as a State-managed event in which religious institutions not only become incidental but also subservient to bureaucratic and political diktats, no matter how unreasonable and offensive to Hindu sensibilities.

1.5 Magh Mela 2026: Immediate Setting

Magh Mela 2026 was conducted with advance preparation appropriate to a large-scale religious congregation, including arrangements for peak participation on Mauni Amavasya (18 January 2026).

Material examined establishes that programmes involving the Jyotirmath Sankaracharya—particularly the ceremonial palki procession for ritual bathing—were planned after due notification to the authorities concerned. Communications were addressed to the administration seeking facilitation, including security and coordinated movement. At no stage did the Mela authorities express reservations, leave alone raise objections to the timing or mode of palki procession on the day of Mauni Amavasya.

Administrative records further indicate prior awareness of the modest scale and nature of participation. Police personnel were deployed in advance, including for duties relating to the ceremonial movement of the Sankaracharya. A police escort was assigned to pilot the procession from the Jyotirmath Sankaracharya Ji's camp (shivir) to the designated Sangam ghat and back.

The setting was thus one of a pre-planned religious programme operating within an administratively coordinated framework. At no point did Jyotirmath Sankaracharya Ji demand any special privileges or make arbitrary changes in the timing of the palki procession or the route it was expected to follow.

1.6 Events of 18 January 2026: Orientation

On 18 January 2026 (Mauni Amavasya), Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji proceeded towards the Sangam ghat in a traditional ceremonial palki procession for Ganga snan, with police personnel assigned to pilot the movement along the designated route from his camp within the Mela area.

As the procession was nearing the designed Sangam ghat area, it was stopped by senior administrative and police officials, who rudely asked the Sankaracharya Ji to dismount from the palki and proceed on foot. This was not only disrespectful and insulting, but also marked a departure from the manner in which the procession used to be treated in the past. There used to be a pre-fixed point at which Sankaracharya ji used to alight and lead his disciples for the sacred bath.

The imperious manner in which Sankaracharya ji was ordered to alight before the traditionally assigned spot, deeply hurt and angered his disciples and devotees. They protested vehemently and Sankaracharya ji also refused to comply with the arrogant order. Police personnel thereafter used force, resulting in injuries. Ved Vidyarthi (batuks) were subjected to degrading treatment, including being dragged by their shikhas, assaulted, and taken into custody along with other participants.

These actions led to the complete disruption of the ceremonial procession. The palki, with the Sankaracharya Ji seated, was taken back, allegedly by police personnel in mufti, to the *shivir* without the ritual bathing at the Sangam taking place. The Sankaracharya Ji thereafter undertook a protest outside his shivir, which continued until midday on 28 January 2026.

1.7 Background Developments and Public Positions of Jyotirmath Sankaracharya Ji

In the period preceding Magh Mela 2026, Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji had publicly articulated strong objections to a range of anti-Hindu policies and actions of BJP governments. These included the following:

- (i) Objection to the involvement of Muslims in the construction of the Sri Ram Janmabhoomi temple at Ayodhya and to alleged violations of Agama Shastra principles;
- (ii) Protest against the demolition of numerous ancient temples and sacred structures under the Kashi Vishwanath Corridor, which, according to him, disrupted the traditional sacred geography of Kashi;
- (iii) Criticism of policies perceived as enabling cow slaughter and promoting beef export, along with demands for a complete ban and recognition of the cow as Rashtra Mata and Rajya Mata; and
- (iv) Objection to increasing State and affiliated organisational control over Hindu temples, religious institutions, and congregations.

Consequently, such criticism and exposure of their anti-Hindu policies and actions have elicited adverse reactions from the ruling BJP and its parent body, the RSS, notwithstanding his position as Jyotirmath Sankaracharya Ji and his stated duty to protect Hindu religious interests by highlighting such actions.

1.8 Administrative Notices Questioning Status of Jyotirmath Sankaracharya Ji

Immediately following the disruption of the palki procession on 18 January 2026 and the use of force against accompanying persons, including Ved Vidyarthi (batuks), the Mela administration issued notices to Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji requiring him to establish or substantiate his status as Sankaracharya.

The issuance of notices calling upon a religious head to establish his status within a traditional religious order forms part of the sequence of administrative actions during the relevant period examined in this report.

The Committee will examine the fact, context, and timing of such communications, as well as the question of the administration's

authority to require a religious head to establish his status, based on the material available on record.

1.9 Subsequent Criminal Proceedings (POCSO) against Jyotirmath Sankaracharya Ji

In addition to the events of 18 January 2026 and subsequent administrative developments, criminal proceedings under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) were initiated against Jyotirmath Sankaracharya Swami Avimuktेश्वरानंद Saraswati Ji and others. These proceedings relate to allegations arising during the same period in which the incident of 18 January 2026, the resulting disruption, and the Sankaracharya's protest were ongoing.

This period was marked by continuous administrative presence, police deployment, and extensive media coverage of the Jyotirmath Sankaracharya Ji. The circumstances in which such allegations came to be made and pursued, in the midst of an ongoing and closely monitored situation, form part of the broader sequence of developments examined in this inquiry.

The Committee's examination in this regard is confined to the sequence, context, and timing of these proceedings, based on the material available on record. The Committee does not adjudicate upon the merits of the allegations, which remain subject to determination by the competent courts.

2. Constitution of the Committee and Scope of Inquiry

The events of 18 January 2026 at the Magh Mela, Prayagraj, and the developments that followed generated substantial public concern and sharply divergent accounts regarding the sequence and circumstances of the incident.

Despite the gravity of the incident—particularly the obstruction of a traditional religious procession, the use of force against participants, and the resulting disruption of a major religious observance—no judicial or statutory commission was constituted by either the Central or State Government to ascertain the relevant facts.

This absence of an official inquiry created a vacuum in the public domain. In the absence of an independently examined factual record, competing narratives remained untested, necessitating a structured and evidence-based examination.

Serious concerns were publicly raised by Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji and his representatives regarding personal safety, the dignity of the religious office, and the conduct of the administration and police. These concerns were not isolated; they reflected broader issues relating to the interface between governmental authorities and traditional religious leadership in the conduct of Hindu religious congregations.

In particular, it was alleged that:

- (i) the administration and police interfered with a traditional ceremonial palki procession;
- (ii) the established religious protocol governing such processions was disregarded;and

- (iii) force was used against disciples and devotees accompanying the Jyotirmath Sankaracharya Ji.

These allegations, viewed in the context of the scale and significance of the Magh Mela, raised issues extending beyond the immediate incident, including the limits of administrative authority in matters of religious practice.

In these circumstances, an independent fact-finding body comprising the following members undertook the inquiry as an independent civil society initiative.

- (i) Shri M. Nageswara Rao, IPS (Retd.), Former Director, CBI
- (ii) Prof. Madhu Kishwar, Founder, Manushi; Former Senior Fellow, Centre for the Study of Developing Societies
- (iii) Smt. Ritu Rathaur, Social Worker

The Committee is non-statutory and non-official in character. It does not exercise adjudicatory powers and does not substitute judicial processes. However, its findings are based on an independent examination of material and are intended to establish a coherent and evidence-based account of events.

The Committee undertook to:

- (i) reconstruct the sequence of events relating to 18 January 2026 and subsequent developments;
- (ii) examine documentary, testimonial, medical, and audio-visual material;
- (iii) assess the conduct of administrative, police, and other relevant actors;
- (iv) situate subsequent legal and administrative actions within the overall sequence;
- (v) examine the competence and jurisdiction of administrative authorities to issue notices requiring the Jyotirmath Sankaracharya Ji to establish or substantiate his status;
- (vi) identify issues arising at the interface between administrative authority and established religious practice;

- (vii) examine whether the events disclose broader structural, institutional, or systemic issues in the relationship between State authorities and Hindu religious institutions;
- (viii) assess the existing legal and administrative frameworks governing such interactions; and
- (ix) recommend appropriate institutional, legal, and administrative measures to address the structural concerns identified in the course of the inquiry and to prevent recurrence of such incidents, with a view to ensuring a constitutionally balanced relationship between secular authorities and religious institutions.

The Committee's purpose is fact-finding and analysis. It does not determine criminal liability, which remains within the jurisdiction of competent courts. However, where the material discloses conduct that raises serious legal or institutional concerns, the Committee records such findings on a prima facie basis.

In addition, where the material reveals broader structural, institutional, or systemic issues, the Committee has examined such issues in light of applicable legal and constitutional principles, and has made appropriate observations and recommendations within that framework.

3. Methodology and Evidentiary Basis

The Committee adopted an evidence-based approach grounded in verification and corroboration. In the absence of statutory powers, the inquiry proceeded on the basis of voluntary cooperation, field verification, and assessment of available material. Findings are based on cross-verification across multiple sources rather than on isolated accounts.

3.1 Field Inquiry

The Committee conducted field visits to Prayagraj and Varanasi.

At Prayagraj, the Committee:

- (i) inspected the Magh Mela area, including the route of the procession and points of obstruction;
- (ii) examined the layout of the Sankaracharya's camp (shivir) and access routes to the Sangam;
- (iii) interacted with individuals present at or near the site, including journalists; and
- (iv) sought interaction with administrative and police officials concerned with the incident.

No official agreed to engage with the Committee despite repeated efforts.

At Varanasi, the Committee:

- (i) met the Jyotirmath Sankaracharya Ji, members of his entourage, disciples, and Ved Vidyarthis (batuks);
- (ii) obtained documentary material from his office; and
- (iii) examined medical records relating to injuries sustained.

These visits enabled correlation between physical locations, testimonial accounts, and documentary material.

3.2 Testimonial Evidence

The Committee recorded statements of:

- (i) the Sankaracharya Ji and individuals accompanying him during the procession;
- (ii) individuals directly affected by the events; and
- (iii) independent observers, including journalists present at the site.

These testimonies addressed:

- (i) commencement and progression of the procession;
- (ii) the point and manner of obstruction;
- (iii) interaction with police and administrative officials;
- (iv) use of force and treatment of participants; and
- (v) the resulting disruption of ritual bathing.

Where feasible, statements were videorecorded to preserve accuracy and minimise subsequent dispute.

Testimonial evidence was evaluated on the basis of internal consistency, convergence across independent accounts, and corroboration with documentary, medical, and audio-visual material. Certain potential witnesses, including journalists, declined to depose, which has been taken into account.

3.3 Documentary Evidence

The Committee examined documentary material spanning the period before, during, and after 18 January 2026. This included:

- (i) communications addressed to the administration regarding proposed programmes, movement for ritual bathing, and requests for security and facilitation;
- (ii) administrative notices issued on and after 18 January 2026, including those alleging unauthorised movement and those calling upon the Sankaracharya to establish his status;
- (iii) replies and representations submitted on behalf of the Sankaracharya;

- (iv) records relating to camp arrangements and compliance with administrative requirements;
- (v) layout plans and spatial documents relevant to movement routes and control points;
- (vi) documents relating to subsequent legal proceedings, including FIRs, applications, and court orders;
- (vii) contemporaneous media reports and public statements of officials and religious figures;
- (viii) publicly reported statements made by the Chief Minister, including those questioning the status of the Sankaracharya and referring to him as “Kalanemi”; and
- (ix) publicly reported statements of the Deputy Chief Minister acknowledging wrongdoing and calling for accountability.

This material establishes the administrative position, sequence of actions, and contemporaneous public responses.

3.4 Medical Evidence

Medical records relating to individuals injured during the events of 18 January 2026 were examined. These records document:

- (i) physical injuries sustained;
- (ii) clinical examination and treatment; and
- (iii) timing consistent with the reported use of force.

Medical evidence provides independent corroboration of physical intervention by police personnel and supports testimonial accounts.

3.5 Audio-Visual Evidence

The Committee reviewed available video recordings and photographic material relating to:

- (i) movement of the procession;
- (ii) points of obstruction;
- (iii) interaction between participants and police; and
- (iv) use of force and its immediate aftermath.

This material was used to corroborate testimonial evidence and to establish sequence, conduct, and intensity of intervention.

3.6 Outreach to Authorities and Journalists

The Committee made repeated efforts to obtain the version of relevant authorities and to afford them an opportunity to present their position. Communications were addressed to the Hon'ble Chief Minister of Uttar Pradesh, as well as to the Commissioner of Police, District Magistrate, Mela Administrator, and other concerned officials, through email and messaging platforms, seeking a convenient time for interaction. No response was received.

The Committee also sought to interact with journalists who had reported on the incident. Several expressed reluctance to depose, which is understood to be on account of apprehension of adverse consequences.

These factors have been taken into account in assessing the material.

3.7 Subsequent Developments

The Committee examined material relating to developments following 18 January 2026, including:

- (i) representations and communications made after the incident;
- (ii) the protest undertaken by the Sankaracharya;
- (iii) documents relating to criminal proceedings, including FIRs, court filings, and orders; and
- (iv) affidavits and supporting material placed in judicial proceedings.

These materials were examined for the limited purpose of establishing sequence, timing, and pattern of events, without adjudicating their merits.

3.8 Analytical Framework

The Committee adopted a triangulation-based method. Findings are derived from:

- (i) convergence of testimonies;
- (ii) consistency between testimonial, documentary, medical, and audio-visual evidence; and

(iii) chronological coherence of events.

3.9 Constraints and Limitations

The inquiry was conducted under identifiable constraints:

- (i) absence of cooperation from official authorities;
- (ii) lack of access to internal government records not in the public domain;
- (iii) reluctance of certain witnesses, including journalists, to depose due to apprehension of adverse consequences; and
- (iv) non-statutory character of the Committee, limiting its ability to compel evidence.

These limitations have been taken into account but do not detract from the consistency and corroborative strength of the material examined.

3.10 Examination and Preservation of Evidence

The Committee examined a wide range of material, including testimonial evidence, documentary records, medical reports, audio-visual material, media reports, and public statements of administrative, police, and political functionaries. All material was analysed and cross-verified, and all evidentiary material relied upon has been duly preserved.

4. Analysis and Conclusions

4.1 Magh Mela Incident: Unlawful Obstruction and Use of Force

4.1.1. Background and Procession

On 18 January 2026 (Mauni Amavasya), Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji proceeded from his shivir in the Magh Mela area towards the Sangam for holy Ganga snan in a traditional ceremonial palki procession. The Sankaracharya was seated in a ceremonial palki carried by devotees, disciples, and Ved Vidyarthi (batuks). The procession was organised and structured, and it commenced at approximately 9:00 AM in accordance with prior planning and coordination with the administration.

Material examined establishes that the administration had prior knowledge of the proposed movement and had issued internal approvals permitting the procession with a defined group of accompanying persons. Police personnel had been specifically assigned for facilitation of the Sangam snan. A police officer, designated for this purpose, arrived at the shivir along with a police contingent to escort the procession.

The designated route of the procession required movement from the eastern side of the Ganga (Ganga-par), where the shivir was located, to the Sangam situated on the western bank, necessitating crossing of the river through designated access points.

Police personnel led the procession from the front, actively piloting its movement along the designated route. The degree of coordination between the procession and the police escort is further evidenced by the identification measures adopted. To ensure clear

identification amidst the crowd, the escorting police personnel were provided with yellow scarves by the team accompanying the Jyotirmath Sankaracharya Ji, which were also used by members of the procession. The escorting personnel wore these scarves, enabling them to be readily recognised as part of the facilitating unit.

The setting at this stage was thus one of a pre-planned, coordinated, and administratively facilitated religious procession proceeding in an orderly manner towards the Sangam.

4.1.2 Obstruction of the Procession

Despite prior facilitation, when the procession had progressed substantially and was nearing the Sangam, senior administrative and police officials—including the Prayagraj District Magistrate, Shri Manish Kumar Varma, IAS; Mela Administrator, Shri Rishi Raj, IAS; Commissioner of Police, Shri Jogendra Kumar, IPS; Additional Commissioner of Police, Shri Ajay Pal Sharma, IPS; UP Home Secretary, Shri Mohit Gupta, IPS; Divisional Commissioner, Smt. Soumya Agarwal, IAS; and Assistant Commissioner of Police (Headquarters), Shri Vineet Kumar Singh, along with other officers—intervened and obstructed the procession.

The material establishes that the procession had travelled approximately 2 kilometres under uninterrupted police escort and had reached vicinity of the designated access area for ritual bathing. The procession had, up to that point, been allowed to pass through all preceding checkpoints and barricades under police supervision. It was at this advanced stage, and not at the commencement or any intermediate point, that the direction was issued requiring the Jyotirmath Sankaracharya Ji to dismount from the palki and proceed on foot. No such restriction had been communicated at the commencement of the procession or at any earlier stage along the route.

The ceremonial palki is not merely a means of movement but forms an integral part of the established protocol governing such processions, and its discontinuance at that stage altered the character of the ritual itself.

This direction was conveyed on the stated ground that motor vehicles were not permitted beyond that point. The ground is factually untenable and demonstrably false, as a ceremonial palki is not a motor vehicle. The insistence on dismounting was therefore unwarranted and inconsistent with the nature of the procession as well as with the prior facilitation extended by the administration.

The insistence on dismounting was unwarranted and inherently insulting to the religious office and practice, and was communicated in a commanding manner, as borne out by contemporaneous video recordings and consistent witness testimonies. The direction was met with immediate objection from accompanying disciples, Ved Vidyarthi (batuks), and devotees. The officials not only issued directions but physically prevented further movement of the palki, thereby effecting complete obstruction of the procession.

There is no material to indicate any contemporaneous circumstance necessitating such intervention. The procession was limited in size, controlled in movement, and had proceeded without incident under police supervision for a considerable distance. Any crowd accumulation appears to have occurred only after the stoppage and the ensuing dispute. The timing and manner of obstruction, in the absence of any change in circumstances, indicate arbitrariness and lack of bona fide.

4.1.3 Justification of Stampede Risk: Examination

First, the procession was pre-planned and known to the administration, and it did not differ in any material respect from other processions or movements of devotees on the same occasion. If a genuine apprehension of risk existed, appropriate restrictions ought to have been imposed at the outset. No such restriction was communicated or enforced at the commencement or during the earlier stages of the procession.

Second, the procession had already traversed a substantial portion of the route and reached close proximity to the Sangam without incident. The number of participants was limited, and the movement was orderly.

Third, the material examined by the Committee does not disclose any emergent or extraordinary situation at the relevant time. There is no evidence of panic, uncontrolled crowd movement, congestion, or any condition ordinarily associated with a stampede risk. The route, including the area leading up to the points of bathing on the open riverbed, remained sufficiently accessible and does not indicate obstruction or impediment to general public movement.

Fourth, any crowd accumulation appears to have occurred only after the stoppage of the procession and the ensuing confrontation, indicating that the situation, if at all it intensified, did so as a consequence of the intervention.

Fifth, even assuming the existence of a crowd management concern, the response adopted—abrupt obstruction at an advanced stage and the direction to dismount—was disproportionate and inconsistent with established principles of crowd control. Less intrusive and more appropriate regulatory measures were neither considered nor applied.

Sixth, material circulating in the public domain appears to indicate that other religious figures, including Satua Baba alias Santoshdas Brahmachari Ji, accessed areas in proximity to the Sangam in motor vehicles. While the Committee does not place reliance on such material in the absence of verified authentication, its existence underscores the need for the administration and police to clarify the uniformity and consistency of its enforcement.

In these circumstances, the explanation of stampede risk is unsupported by contemporaneous material and constitutes an *ex post facto* justification.

4.1.4. Legal Position on Use of Force

In this context, the legal position is clear. Police may use force only in limited circumstances:

- (i) for dispersal of an unlawful assembly under Section 148 BNSS (earlier Section 129 CrPC);
- (ii) while effecting lawful arrest where resistance is offered under Section 43 BNSS (earlier Section 46 CrPC);

(iii) to prevent the commission of a cognisable offence under Section 168 BNSS (earlier Section 149 CrPC).

None of these conditions existed. The procession was peaceful, permitted, and being escorted by the police themselves. No declaration of unlawful assembly was made, no situation of arrest arose, and no cognisable offence was being committed or was imminent.

4.1.5. Use of Force and Its Consequences

Despite the complete absence of legal justification, the police resorted to force without any provocation.

Devotees and participants were assaulted. Ved Vidyarthi (batuks) were dragged by their shikhas, subjected to degrading treatment, and detained. The situation was turned into chaos entirely by the actions of the police and administration.

Medical records examined by the Committee confirm that individuals sustained injuries in the course of this police action.

This use of force was wholly unlawful. The acts committed by police and administrative personnel disclose prima facie commission of cognisable offences, including wrongful restraint, causing hurt (both simple and grievous), assault, intentional insult, and intentionally and maliciously outraging religious feelings among others.

4.1.6. Disruption of Religious Observance

The unlawful use of force had a direct consequence: the ceremonial procession was stopped and the Sankaracharya Ji was prevented from reaching the Sangam and performing the intended holy Ganga snan on the auspicious Mauni Amavasya.

This action resulted in the complete disruption and desecration of a peaceful and sacred religious activity.

The palki, with the Jyotirmath Sankaracharya Ji seated in it, was taken back to the gate of the shivir by police personnel in plain clothes.

4.1.7. Subsequent Events and Protest

Upon being brought back up to the gate of the shivir, after his devotees and disciples had been assaulted and detained and

Ved Vidyarthi (Batuks) had been humiliated, the Jyotirmath Sankaracharya Ji commenced a continuous protest outside his shivir on 18 January 2026, which continued until 28 January 2026. He announced that, as a mark of protest, he would not enter the shivir and would instead remain on the road outside it continuously.

This protest was undertaken in the expectation that the administration would acknowledge its error and take corrective steps. No such corrective action followed, nor did the Government express the slightest remorse for the unlawful conduct of its officers.

On the contrary, the administration issued notices calling upon the Sankaracharya Ji to establish or prove his status as Sankaracharya of Jyotirmath. This represented a clear overreach by secular authorities into matters of religious tradition and authority. In a constitutional framework founded upon secularism—understood as the separation of State and religion—the administration has no authority to determine or question such religious status.

4.1.8. Overall Assessment

The sequence of events—prior knowledge and facilitation, sudden obstruction on untenable grounds, unlawful use of force and assault, disruption of religious observance, humiliation of participants, and subsequent administrative overreach of questioning the religious status of the Sankaracharya Ji—forms a coherent and consistent pattern.

This pattern cannot be explained as an isolated or spontaneous response to an emergent situation. The internal inconsistency between prior facilitation and subsequent obstruction, coupled with the absence of any contemporaneous justification, indicates that the conduct was not merely incidental.

4.1.9 Conclusions

The Committee concludes that the procession was a traditional and pre-approved religious activity known to and facilitated by the administration. The subsequent obstruction was arbitrary and unsupported by valid grounds. The use of force by police personnel was without legal justification and resulted in assault, degrading treatment of participants, and complete disruption

of the intended religious observance. The issuance of notices requiring the Sankaracharya to establish his status constitutes administrative overreach into religious matters. Taken together, the events of 18 January 2026 constitute a serious abuse of State power involving unlawful interference with a traditional religious practice.

4.2 POCSO Proceedings: Perversion of Process

4.2.1. Context and Background

The initiation of proceedings under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) against the Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji does not arise in isolation, but forms part of the sequence of developments following the events of 18 January 2026 and the protest undertaken thereafter. The material on record, when examined in its full sequence and context, raises serious questions regarding the integrity of the criminal process and its possible use in a manner inconsistent with established legal principles. The analysis that follows examines the role of the complainant, the conduct of the police, and the actions of the State within this broader framework.

4.2.2 Role of the Complainant and Prior Targeting

The complainant, Ashutosh Pandey alias Brahmachari, is stated to be a history-sheeter (No. 76A) at Kandhal Police Station in Shamli district, Uttar Pradesh, with multiple criminal cases recorded against him. He is also alleged to be associated with Swami Rambhadracharya Ji, who has publicly criticised the Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji for his positions on anti-Hindu policies of the ruling establishment.

Material on record indicates that the complainant had publicly targeted the Jyotirmath Sankaracharya Ji and had issued threats of implicating him in legal proceedings prior to the initiation of the present case. This background is relevant in assessing the sequence and context in which the allegations subsequently arose.

4.2.3 Initial Complaint and Subsequent Escalation

On the evening of 18 January 2026, the complainant lodged a complaint alleging that the Sankaracharya and others had

attempted to murder him. The allegations included physical assault and an attempt to strangulate him near the camp of the Sankaracharya.

Despite the seriousness of these allegations, no FIR was registered at that stage. The material indicates that the location in question was under CCTV surveillance, and the allegations were not substantiated by available footage.

Subsequently, on 28 January 2026, the same complainant approached the Special Court under the POCSO Act alleging sexual offences against minor Veda Vidarthi said to be associated with the Sankaracharya. The escalation from an initial allegation of assault to grave allegations under the POCSO Act, within a short span of time, forms part of the sequence requiring examination.

4.2.4 Proceedings Before the Special Court and Police Conduct

Upon the matter being placed before the Special Court under the POCSO Act, the Court called for a report from the police. The same police authorities who had not registered an FIR at the initial stage submitted a report indicating that prima facie offences were disclosed. On this basis, the Special Court directed registration of an FIR.

This sequence reflects a clear inconsistency in police conduct. If the allegations were considered credible at the initial stage, the police were under a statutory obligation to register an FIR. If they were not considered credible, the subsequent endorsement of the allegations before the Court is equally untenable. Both positions cannot simultaneously stand.

4.2.5 Nature of Allegations and Procedural Irregularities

The material raises serious concerns regarding the manner in which the allegations were presented and pursued. There is no material establishing that the alleged victims were students of the Sankaracharya's Gurukulam. The alleged victims did not approach their parents or the police directly but were routed through the complainant, who retained control over them for a period of time. This is inconsistent with the statutory safeguards governing handling of victims under the POCSO framework.

The circumstances in which the allegations surfaced—during a period when the Sankaracharya was continuously present at his shivir under public visibility, including media and administrative presence—are also relevant in assessing their plausibility and timing.

4.2.6 Use of Judicial Process for Registration of FIR

The sequence of events indicates that the registration of the FIR was effectively secured through intervention of the Special Court after the police had initially not acted. The subsequent report submitted by the police to support the registration of the FIR provided a form of post facto validation to a position they had not taken earlier.

This reflects a use of the judicial process to achieve what was not done at the initial stage, raising serious concerns regarding the bona fides of the process.

4.2.7 Role of the State in Actively Pursuing the Prosecution

The State is not a blind prosecutor; it is an active participant in the dispensation of justice, obligated to act fairly and in accordance with law. In the present case, where the material on record points to the falsity and motivated nature of the allegations, the State's conduct assumes critical significance.

When the matter came up before the Hon'ble Allahabad High Court in anticipatory bail proceedings, the State of Uttar Pradesh vehemently opposed the application of the Jyotirmath Sankaracharya Ji. The nature and tenor of this opposition went beyond a standard prosecutorial response.

The Hon'ble Allahabad High Court, by its order dated 25 March 2026, while granting anticipatory bail to the Jyotirmath Sankaracharya Ji, recorded several significant observations that materially affect the credibility of the prosecution case. The Court noted serious inconsistencies and deficiencies in the prosecution narrative, including material contradictions in the statements of the alleged victims, unexplained delay in lodging the complaint, and procedural irregularities in the handling of the victims. Importantly, the Court recorded that the alleged victims were not students of the Jyotirmath Sankaracharya Ji's Gurukulam, as established from

their educational records, thereby casting serious doubt on the credibility of the proceedings.

4.2.8 Overall Assessment

The sequence of events—prior threats, initial police inaction, subsequent escalation of allegations, reversal of police position, and active pursuit of prosecution—cannot be viewed in isolation. The internal inconsistency in police conduct, coupled with the manner in which the FIR came to be registered, indicates that the proceedings do not follow the ordinary course expected under law.

4.2.9 Conclusion

The Committee finds that the initiation and pursuit of proceedings under the POCSO Act are marked by serious procedural irregularities and internal contradictions. The conduct of the police is legally untenable, and the sequence of events indicates that the criminal process was used with the objective of falsely implicating, harassing, and discrediting the Sankaracharya Ji. The active role of the State in supporting the prosecution, despite evident deficiencies, reinforces the conclusion that this conduct constitutes a grave abuse of the criminal justice machinery.

4.3 Political Executive: Role and Conduct

4.3.1 Context and Evidentiary Basis

The role of the political executive is to be assessed on the basis of publicly recorded statements made in the aftermath of the events of 18 January 2026, as well as the conduct of the State in relation to the developments that followed. These statements and actions form part of the evidentiary matrix and are not incidental to the analysis.

4.3.2 Statements of the Chief Minister and Their Implications

On 14 February 2026, in the Uttar Pradesh Legislative Assembly, the Hon'ble Chief Minister of Uttar Pradesh, Shri Yogi Adityanath Ji, while responding to the controversy surrounding the Magh Mela incident, questioned the use of the title "Sankaracharya", asserting that not everyone is entitled to assume or use that designation.

In this context, it is necessary to clarify the position regarding the status of the Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji. He was appointed as Sankaracharya of Jyotirmath by his predecessor, Jagadguru Swami Swaroopanand Saraswati Maharaj Ji, in accordance with established traditions governing succession to the *āmnāya* Mathas. The process of succession within this tradition involves nomination by the incumbent Sankaracharya and confirmation through established religious protocol, including recognition by other Sankaracharyas. The *pattabhisheka* in the present case was conducted under the aegis of the Sankaracharya of Sringeri Math and was subsequently endorsed by Dwaraka Math, thereby completing the process in accordance with accepted tradition.

The position so assumed has further been recognised in authoritative institutional and judicial contexts. The Hon'ble Supreme Court, in its order dated 21 September 2022 in Civil Appeal No. 3010 of 2020, has recorded that Swami Avimukteshwaranand Saraswati Ji has assumed the position of Sankaracharya of Jyotirmath. Further, the publication *Veda Kalpataru* (2023), associated with the Maharshi Sandipani Rashtriya Ved Vidyalaya Pratishthana, Ujjain—an institution established by the Government of India—and published by the National Book Trust, India, describes him as the Sankaracharya of Jyotirmath. The foreword to this publication has been authored by the Hon'ble Union Minister for Education.

The impropriety of questioning the status of duly appointed Jyotirmath Sankaracharya Ji becomes evident when contrasted with the treatment of constitutional offices in the secular domain. Once a Chief Minister is appointed in accordance with constitutional procedure and administered the oath by the Governor, his legitimacy is not subjected to further scrutiny. Similarly, succession to the office of Sankaracharya follows an established and recognised traditional process. Any attempt by secular authorities to question such status, therefore, constitutes an unwarranted intrusion into a domain beyond their jurisdiction and reflects a selective approach inconsistent with the deference shown to constitutional offices.

It is also pertinent to note that Shri Yogi Adityanath himself is the Mahant of the Gorakhnath Math, having been appointed by his predecessor in accordance with established religious tradition. If the validity of the appointment of Swami Avimukteshwaranand Saraswati Ji as Jyotirmath Sankaracharya is questioned, the same line of reasoning would equally apply to his own position as Mahant. Such selective questioning is therefore wholly untenable and reflects an inconsistent approach towards similar religious institutions and traditions.

In addition, in public remarks following the incident, the Chief Minister referred to certain individuals in “Kalanemi-like” terms, a reference drawn from the Ramayana and carrying clear derogatory connotations when applied to a religious figure. In the context of the events of 18 January 2026 in question, this reference was widely understood as being directed at Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji.

The tenor, timing, and content of these statements are material. Rather than addressing the underlying incident, they had the effect of questioning the legitimacy of a recognised religious authority and contributed to the broader context in which the actions of the administration and police are to be assessed.

4.3.4 Internal Acknowledgments of Wrongdoing

The Hon’ble Deputy Chief Minister of Uttar Pradesh, Shri Keshav Prasad Maurya Ji, publicly acknowledged that the treatment meted out to the Sankaracharya was a grave wrong and called for action against the officials responsible. Similarly, senior political functionaries within the ruling BJP, including Shri Sunil Bhalara, stated that the humiliation of the Sankaracharya and his disciples amounted to an insult to Sanatan Dharma and demanded accountability.

These statements are not peripheral. They constitute clear acknowledgments from within the ruling establishment that the conduct in question was wrongful. Such recognition at senior levels effectively excludes any plausible explanation of misunderstanding or inadvertence and lends weight to the inference that the actions bore the hallmarks of premeditation.

4.3.5 Conclusion

The sequence of events—administrative obstruction, unlawful use of force, derogatory public remarks by the Chief Minister, absence of corrective action, and contemporaneous acknowledgment of wrongdoing within the government—cannot be explained as a stray or isolated incident. It establishes a coherent and deliberate pattern of conduct aligned with, and sustained by, the position of the highest political executive of the State.

The Committee therefore concludes that the events of 18 January 2026, together with the subsequent actions, were not spontaneous or accidental, but formed part of a pre-determined course of action undertaken with the knowledge and support of the highest levels of the State executive. Taken together, these actions constitute a grave abuse of State power.

5. Secular State Override of Hindu Religious Autonomy

The findings arising from the events of 18 January 2026 and the developments that followed extend beyond the immediate incident and reveal a broader and discernible pattern in the manner in which Hindu religious events, once brought under secular administrative control, are conducted in ways that override their inherent religious structure and autonomy. The treatment meted out to the Jyotirmath Sankaracharya Ji, in particular, is not an isolated occurrence but a manifestation of this larger structural pattern.

It is necessary, at the outset, to identify the statutory and administrative context in which such events are conducted. The governing framework—including the United Provinces Melas Act, 1938 and the Uttar Pradesh Prayagraj Mela Authority Act, 2017—applies specifically to Hindu religious congregations. No comparable regime of State control is imposed upon religious gatherings of other faiths. This asymmetry forms the legal backdrop against which the present issue must be evaluated.

Within this framework, a clear distinction must be maintained between secular and religious domains. In State-organised secular functions, ceremonial prominence and precedence are accorded to secular authorities in accordance with established protocol, and administrative machinery is deployed to preserve that structure. Where the State undertakes responsibility in relation to Hindu religious events—limited to public order, safety, health, and infrastructure—such involvement does not extend to altering or displacing the internal religious hierarchy governing those events.

The provision of civic and regulatory support cannot justify transforming a Hindu religious congregation into an administratively

determined event. Nor can it authorise departure from established religious protocols governing participation, movement, and precedence. The primacy of Hindu religious authorities, including the Sankaracharya Ji, inheres in the structure and traditions of Hindu society itself; it is not a matter of State conferment.

The Sankaracharya Ji is not an ordinary participant in a religious gathering. He occupies a position of recognised primacy within the Hindu religious order. His ceremonial participation—including movement in a palki—is integral to the organisation and observance of such religious congregations. The dignity of that office is inseparable from the manner in which such participation is conducted.

In State-organised secular functions of comparable scale—such as Republic Day and Independence Day celebrations—the position is markedly different. The movement and protocol of secular authorities, including the President, Prime Minister, Governors, and Chief Ministers, are structured in advance and preserved without deviation. Administrative and police machinery is deployed to ensure that their prescribed mode of participation remains uninterrupted and intact throughout.

In the present case, a Hindu religious congregation—having been brought under full governmental control—was administered in a manner that disregarded the religious hierarchy governing it. A pre-approved and police-escorted ceremonial palki procession of the Jyotirmath Sankaracharya Ji was halted near its culmination. He was then directed, in a commanding manner, to dismount and proceed on foot, on a ground that is itself untenable. The very form in which the religious office is traditionally manifested was denied at the point of its fulfilment.

This constitutes a clear and unacceptable disregard of established religious protocol. Where the State demonstrably possesses the capacity to plan and ensure the uninterrupted movement of secular authorities in State-organised secular events, its failure—indeed, its evident disregard and contempt—in extending even basic facilitation to Hindu religious dignitaries in the very religious events it administers cannot be justified by invoking

distinctions between constitutional and religious offices. The two operate in distinct spheres: secular dignitaries in secular events, and religious dignitaries in Hindu religious events.

Such a situation would not have arisen had the secular State not encroached upon and usurped the administration of Hindu religious congregations and temples. For eons, Hindu society has independently organised and conducted such large-scale religious events in accordance with its own established norms and protocols. Once the secular State assumes control, it incurs a corresponding obligation to uphold standards of planning, coordination, and, above all, respect toward Hindu religious dignitaries.

Instead, what is evident in the present case is a course of conduct that amounts to blatant and discriminatory treatment of the revered Jyotirmath Sankaracharya Ji.

The contrast is direct and inescapable. The State ensures ceremonial continuity and dignity for secular authorities in State functions, yet adopts a contrary approach in Hindu religious events under its control, resulting in obstruction and public humiliation of the highest Hindu religious authority present. There is no comparable instance on record of religious figures of other faiths being subjected to such treatment in State-administered contexts.

This differential approach—State control over Hindu religious events combined with disregard for their internal religious hierarchy, while comparable control is absent in relation to other faiths—demonstrates a pattern of discriminatory application of secular State power to Hindu religious institutions and events.

The consequence of such conduct extends beyond the individual incident. It amounts to the public denigration of a central Hindu religious authority and reflects a broader pattern of adverse secular State conduct toward Hindu religious institutions, manifested in the systematic edging out and consequent diminishing of their role and status within Hindu religious affairs.

6. Recommendations

The events examined in this Report have gravely impaired the dignity of Hindu religious institutions and generated avoidable conflict between the State and one of the highest Hindu religious offices. The issue assumes added significance because the State itself is presently headed by Shri Yogi Adityanath Ji, who also holds the religious office of Mahant of the Gorakhnath Peeth. In these circumstances, immediate corrective measures are necessary in the larger interests of Hindu society, institutional harmony, and constitutional propriety.

The recommendations of the Committee are presented in two parts: first, immediate measures to address the consequences of the events examined in this Report; and secondly, long-term structural measures intended to prevent recurrence and ensure a constitutionally balanced relationship between religion and the State.

6.1 Immediate Measures

6.1.1 Reconciliation and Institutional Dialogue

Both the Jyotirmath Sankaracharya Swami Avimuktshwaranand Saraswati Ji and Mahant Shri Yogi Adityanath Ji of the Gorakhnath Peeth occupy positions of high religious significance within Hindu society.

The events examined in this Report — including the abuse of State power against the Jyotirmath Sankaracharya Ji, his public humiliation, and the subsequent efforts to implicate him in criminal proceedings — have caused serious injury to the dignity of Hindu religious institutions and generated avoidable conflict within Hindu society. The issue assumes added significance because the events occurred under the administration of Shri Yogi Adityanath Ji, who himself occupies a prominent Hindu religious office.

Since the abuse of State power against the Jyotirmath Sankaracharya Ji originated from the State authorities, it is incumbent upon the head of the State to take the initiative to resolve the issue. Accordingly, it is recommended that Shri Yogi Adityanath Ji, in his capacity as the Chief Minister of Uttar Pradesh, initiate direct reconciliation and institutional dialogue with the Jyotirmath Sankaracharya Ji with a view to restoring institutional harmony and addressing the concerns arising from the events of 18 January 2026.

6.1.2 Institutional Accountability and Apology

It is recommended that Shri Yogi Adityanath Ji, in his capacity as the Chief Minister of Uttar Pradesh, direct the concerned administrative and police officials of Prayagraj to formally acknowledge the impropriety of their actions and tender an unconditional apology to the Jyotirmath Sankaracharya Ji.

Such acknowledgment of wrongdoing is essential to restore institutional credibility, reaffirm respect for religious institutions, and ensure that similar actions are not repeated in the future.

6.1.3 Enhancement of Security for Jyotirmath Sankaracharya Ji

It is recommended that the State Government undertake an immediate and thorough assessment of the threat perception in respect of Jyotirmath Sankaracharya Swami Avimukteshwaranand Saraswati Ji and provide appropriate, enhanced, and continuously reviewed security arrangements commensurate with such assessment.

The material placed before the Committee indicates that the Jyotirmath Sankaracharya Ji has publicly expressed grave apprehension regarding threats to his life, including during the period of the Magh Mela. It is further noted that such threats have continued thereafter, including a recent instance in the first week of April, which was reported by his office to the local police authorities in Varanasi.

Having regard to his high religious standing and the circumstances brought on record, it is imperative that adequate

and effective security measures be ensured to safeguard his life and personal liberty.

The State Government shall ensure that such security arrangements are not merely formal in nature, but are periodically reviewed and updated in accordance with evolving threat perception.

6.2 Structural Measures

6.2.1 Restoration of Hindu Religious Autonomy by Preventing State Overreach

While the three preceding recommendations are immediate measures to repair the situation, the present recommendation is an enduring, long-term structural measure to prevent recurrence and future friction.

The events examined in this report disclose not isolated instances of administrative excess, but constitute an abuse of State power directed against Hindu religious authorities and institutions, arising from a deeper constitutional distortion in the relationship between the secular State and Hindu religious institutions. This distortion stems from the absence of a clear separation between the religious sphere and the secular domain, enabling progressive encroachment by the secular State into matters that properly fall within the domain of religious institutions, in a manner inconsistent with the constitutional principle of secularism.

This encroachment is not merely regulatory in character but has, as evidenced in the present case, resulted in the effective override of established religious hierarchy and the public denigration of recognised Hindu religious authority.

In a constitutional framework founded on secularism, the roles of the State and religion are distinct. Articles 25 and 26 of the Constitution guarantee every religious denomination the freedom to practise its faith and to manage its own religious institutions. The State's duty is limited to maintaining law and order, ensuring public safety, and providing civic facilities such as infrastructure, sanitation, electricity, water supply, and security. The governing principle is clear: religion governs religious matters, and the State governs secular matters.

Hindu religious institutions historically developed without a centralised ecclesiastical authority and functioned through decentralised traditions involving Dharmacharyas, akharas, sampradayas, and community stewardship. Rulers ensured peace and protection but did not interfere in religious functioning. However, over time, legislative and administrative frameworks introduced for facilitation gradually expanded into supervision and ultimately into control. What began as facilitation evolved into direct administrative authority.

As a result, many Hindu temples and religious institutions are today administered not by religious authorities or Hindu society, but by government-appointed officials. Priests, traditional custodians, and religious authorities frequently have limited authority within institutions created for religious purposes. Temple revenues are often controlled by secular authorities, reducing institutional independence. At the same time, institutions of other faiths, such as churches and mosques, largely continue to manage their own affairs without comparable State intervention, raising concerns within a secular constitutional order.

This pattern extends to large Hindu congregations such as Melas and Yatras. While State involvement in public order, crowd management, sanitation, infrastructure, and public health is necessary and legitimate, secular authorities have increasingly assumed control over religious organisation itself—deciding ceremonial precedence, allocating religious space, and regulating participation in matters traditionally determined by Dharmacharyas. This results in secular governmental hierarchy displacing spiritual authority, and religious gatherings becoming Sarkari events rather than spiritually guided congregations.

Where secular officials appropriately receive precedence in State functions such as Republic Day or Independence Day, Hindu religious congregations increasingly witness the reverse: Dharmacharyas are sidelined and administrative officials assume ceremonial primacy under regulatory pretexts. This represents not mere regulation but sustained encroachment into religious governance and the effective subordination of Hindu religious institutions.

In Uttar Pradesh this situation arises from a network of laws governing temple and mela administration in Uttar Pradesh, including the United Provinces Melas Act, 1938; the Uttar Pradesh Prayagraj Mela Authority Act, 2017; the Religious Endowments Act, 1863; the U.P. Shri Kashi Vishwanath Temple Act, 1983; the Uttar Pradesh Vindhya Dham Teerth Vikas Parishad Act, 2021; and other related legislation. Taken together, these frameworks institutionalise secular governmental control over Hindu religious institutions.

Restoring constitutional balance therefore requires structural reform, not minor adjustment.

(i) Constitutional Separation of Religion and State

It is recommended that the Uttar Pradesh State Government implement the constitutional principle of separation of religion and the State, ensuring that religious matters are governed exclusively by religious authorities, while the State confines itself strictly to civic, logistical, and law-and-order functions. Under the constitutional framework:

Religious Authorities shall:

- (a) guide religious affairs and ceremonies;
- (b) manage temples, melas, and dharmic institutions;
- (c) decide religious protocol.

The secular State shall:

- (a) maintain law and order;
- (b) manage crowds;
- (c) provide infrastructure and sanitation;
- (d) ensure public safety and health.

(ii) Legislative Measures to End State Control over Hindu Religious Affairs

It is recommended that existing statutory frameworks governing temples and religious congregations in Uttar Pradesh be reviewed, repealed, or suitably amended insofar as they enable governmental control over religious affairs. Such reform should:

- (a) limit State intervention strictly to secular aspects such as civic, logistical, and law-and-order functions;

- (b) prevent encroachment into religious institutions and their governance;
- (c) restore the primacy of religious institutions in matters of religion and religious affairs;
- (d) ensure that facilitation does not become control.

(iii) Creation of Uttar Pradesh Hindu Dharma Parishad

To give effect to this separation of functions, an institutional mechanism representing Hindu religious authorities is necessary.

It is therefore recommended that the State Government enact a law, to be styled as the **Uttar Pradesh Hindu Dharma Parishad Act**, providing for the establishment of the **Uttar Pradesh Hindu Dharma Parishad** as the apex body governing Hindu religious affairs in the State.

The proposed law shall mandate a comprehensive review and amendment of existing statutory frameworks, including the following, so as to restore the primacy of religious institutions in matters of religion:

- (a) the United Provinces Melas Act, 1938;
- (b) the Uttar Pradesh Prayagraj Mela Authority Act, 2017;
- (c) the Religious Endowments Act, 1863;
- (d) the U.P. Shri Kashi Vishwanath Temple Act, 1983;
- (e) the Uttar Pradesh Vindhya Dham Teerth Vikas Parishad Act, 2021;
- (f) and other related legislation,

These reforms shall vest an overarching supervisory and guiding role in the proposed **Uttar Pradesh Hindu Dharma Parishad** in matters of Hindu religion, its institutions, and associated activities, and shall ensure that no statutory framework enables, directly or indirectly, governmental control over religious governance.

The law shall further provide that the Uttar Pradesh Hindu Dharma Parishad shall have primacy in matters of Hindu religious governance, and that its decisions on religious matters—including religious protocol, ceremonial precedence, institutional recognition,

and governance of religious congregations—shall be binding on all administrative and statutory authorities, subject only to considerations of public order, public safety, and public health.

Objective:

- (a) Religious matters to be governed by religious authorities;
- (b) Civic administration to remain with the State.

Composition:

- (a) headed by the Jyotirmath Sankaracharya Ji;
- (b) comprising representatives of major akharas, sampradayas, monastic institutions, and scholars of Dharmasastras, etc.

Functions:

- (a) guiding religious affairs;
- (b) managing religious congregations and melas;
- (c) determining religious protocol and ceremonial precedence;
- (d) supervising temple administration;
- (e) preserving traditions and customs;
- (f) recognising religious authorities;
- (g) conferring religious titles as per eligibility;
- (h) certifying religious preachers and functionaries;
- (i) promoting Hindu religious education;
- (j) revitalising traditional institutions;
- (k) advising courts and public authorities on matters relating to Hindu religious practice and institutions;
- (l) undertaking such other functions as may be necessary for the protection, preservation, and promotion of Hindu religion.

The Parishad shall exercise jurisdiction in matters of religious governance, while criminal law, maintenance of public order, policing, and other sovereign functions shall remain exclusively with the State.

(iv) Reasons for Leadership by the Jyotirmath Sankaracharya

The designation of the Jyotirmath Sankaracharya as Chairperson is based on the following considerations:

- (a) **Civilisational Continuity:** The Sankaracharya tradition originates from Adi Sankaracharya, who established monastic institutions to provide spiritual guidance and doctrinal coherence across Hindu civilisation.
- (b) **Supra-Sectarian Authority:** Sankaracharya Ji functions above denominational divisions, enabling balanced representation across diverse sampradays.
- (c) **Historical Association with Northern India:** The Jyotirmath (Uttarâmnâya Math), located in the Himalayan region, has historically exercised spiritual influence across northern India, including Uttar Pradesh, and is associated with the Dasnami order and akharas.
- (d) **Absence of Central Ecclesiastical Structure:** Hindu traditions lack a centralised institutional authority. The Sankaracharya institution provides the closest historically accepted model of integrative leadership without imposing uniformity.
- (e) **Symbolic Neutrality and Legitimacy:** Leadership by a recognised traditional Jagadguru Sankaracharya Ji ensures legitimacy rooted in tradition rather than political appointment, reinforcing separation of religion and State.
- (f) **Institutional Stability:** A spiritually anchored leadership structure ensures continuity across political changes and prevents politicisation of religious governance.

(v) Constitutional Consistency and Expected Outcomes

The proposed framework strengthens—not weakens—secularism by restoring constitutional separation. It:

- (a) returns management of religion to religious institutions;
- (b) preserves full State authority over public welfare;
- (c) reduces State entanglement in religion;

- (d) establishes cooperative coexistence between governance and religion.

The expected outcomes include:

- (a) restoration of autonomy to Hindu temples and religious institutions;
- (b) removal of friction between administrators and religious authorities;
- (c) preservation of the religious character of congregations such as melas;
- (d) enhancement of legitimacy and public trust;
- (e) alignment of governance with secular constitutional principles.

Finally, a secular State protects religion; it does not administer it. When the State governs religious institutions, constitutional balance is disturbed and religious authority is displaced. When religious authorities govern religious affairs and the State governs civic matters, both function effectively and harmoniously.

The measures recommended above seek to restore this balance and ensure that incidents such as those examined in this report do not recur.
