COI PRESENTATION

TOPIC: RIGHT TO FREEDOM OF RELIGION

GROUP NO -8

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Religion is a matter of personal beliefs and values. And that is why choosing a religion is considered as a fundamental right in India under the act, right to freedom of religion. If anyone believes in any particular religion than it does not affect anyone particularly

Right to freedom of religion comes under “ARTICLE 25” of Indian constitution.

The article states that all the person are equally entitled to freedom of conscience and right to freely profess ,practice and propagate religion.

The implication of these are:

1.Freedom of conscience: which provides freedom of an individual to mould his relation with god or creature in whatever way one desire.

2.Right to profess provides Declaration of one’s religious beliefs and faith openly and freely.

3. Right to practice allows Performance of religious worship ,ritual ,ceremonies and exhibition of beliefs and ideas.

4. Right to propagate allows Transmission and dissemination of one’s religious belief to others or exploitation of the tenets of one’s religion. But it does not include right to convert other person religion to one’s own religion.

Thus this right are available to all person – citizens as well as non- citizens,

However this right are subject to public order , morality , health , and other provision relating fundamental right. Further sate is permitted to-

1. Regulate or restrict any economic , financial , political ,or other secular activity associated with the religious practice.
2. Provide for social welfare and reform or throw open Hindu religious institution of public character to all classes and section of Hindus.

These also include two important explanation : one , wearing and carrying of kirpans is to be included in the profession of Sikh religion and two, the hindus in this context include Sikhs , jain and Buddhist.

Case Study – Sabarimala Case

Menstruating Women – Age 10 to 50 not allowed to enter in the shrine which was a practice for ages. The Kerela government of 1965 too prohibited the women from age 10-50 to enter a temple. A petition was filed by some people saying that this was differentiating on the basis of gender and hence should be removed. But in 1991 Kererla Government passed a verdict saying that this did not violate Article 15(no discrimination), 25 and 26(which allows to practice their religion) and the petition was rejected. But in 2018 Supreme Court struck down the Kerela Government rule and allowed the entry of women. Though the society may not still be accepting this rule completely but the the law protects the right to freedom of religion. Also we think in the ocming years the society will slowly and gradually accept it.