The notion of inequality in Indian society is easy to understand given the ancient caste system that is still practised in one form or another. The right to equality not only seeks to nullify the effects of that pernicious system, but puts citizens on an equal footing and protects against all forms of discrimination.

The right to equality is not one monolithic right, but is defined in the constitution as a set of rights. These include the right to move to and settle in any part of the country, the right to prohibition of discrimination on the basis of race, caste, sex or creed and the right of equality before the law. Here are some more aspects of the right to equality.

**Q. What rights does a citizen enjoy under the right to equality?**

Articles 14 through 18 of the Constitution deal with the right to equality. The following rights are dealt with in each of these articles:

- Equality before law and equal protection of law within the territory of India.

- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

- Equality of opportunity in matters of public employment

- Abolition of untouchability

- Abolition of titles

**Q. What is “equality before law”?**Equality before law means the absence of privilege on the basis of one’s birth, caste, sex or creed. This phrase is British in origin.

**Q. What is meant by “equal protection of law”?**

This phrase is of American origin and means that laws will be equally applied in the same circumstance. That is, given the same conditions, penalties levied and privileges conferred will be alike.

**Q. What is meant by “persons” in the law?**

Persons includes not only physical persons but also legal persons and entities like corporations and companies. The right to equality thus extends to all “persons” under the law.

**Q. What is the right against discrimination? Discrimination on what grounds is fprohibited?**

The State cannot discriminate against a citizen on the basis of religion, sex, caste, race or place of birth. No citizen can be subject to any disability, liability, restriction or condition.

**Q. Where all does this right apply?**

It applies to:

- access to shops, public restaurants, hotels and places of public entertainment.

- use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds

**Q. Does the right to equality apply to reservations in educational institutions and government employment?**

No. The government can make special provisions for the advancement of any socially and educationally backward classes of citizens or for SCs and STs. This could also extend to their admission to educational institutions and government employment.

In case of public employment, the government reserves the right to add any requirement such as residence in a particular state prior to holding employment in that state. Any reservations made in promotions with a view to giving more representation to under-represented classes does not violate the right to equality.

**Q. How is a class/caste judged to be backward?**

The President can appoint a commission to study the social, economic and educational conditions of a class. Based on the recommendations, the President may grant backward status to that class of people. However, the classification can always be reviewed by the courts to see if it is based on sound principles.

**Q. Does the right to equality prevent the government from making special provisions for women and children?**

No. The government can make laws with special provisions for women and children.

**Q. How does the law enforce abolition of untouchability?**

The constitution abolishes untouchability and makes any practice of this custom a punishable offence.

**Q. As an Indian citizen, can I accept titles bestowed by foreign governments?**

No. Citizens in the employ of the government can accept any emolument, present or office of any kind only upon the consent of the President. This extends to foreigners who are working for the government of India.

--Ends