

**“Freedom of Religion”**

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**ABSTRACT**

Freedom of religion is in the Article (25-28) . It defines that the different religion have different culture. Religion is a matter of faith with individuals or communities. The state can have no religion of its own. They give equal treatment to the temple , church, and the mosque. The state is neutral treats all the religions equally. Religion is based on belief practise is to perform the religious beliefs , duties, rites, rituals and ideas prescribed by religious orders according their beliefs. Long time ago when only ruling on the everywhere Brahmins got the big place they got treatment at the above level .

Religion is not defined in the constitution but it means that worship of rituals and beliefs.

**INTRODUCTION**

Freedom of religion article (25-28) . India is a secular state. State treats equally all religion. Religion has its own value in the Indians life. Freedom of religion means that different religions have their ways of worship and different spirituals and way of marriage in Hindus and Muslims. Hindus use Sanskrit language while worship in the temple. Muslims use Urdu language when they are reading Quran and Christian used to have read bible during the worship in the church. Every citizen of India have the freedom of adopting any religion according to their concern.

Hindus who, when young, had from pressure become Musalmans, were allowed to go back to the faith of their fathers. No man should be interfered with on account of his religion, and every one should be allowed to change his religion, if he liked. ...People should not be neglected, if they wished to build churches and prayer rooms, or idol temples, or fire temples.

Article( 25 )of Indian Constitution grants freedom to every citizen of India to profess, practice and propagate his own religion. The constitution, in the preamble recognizes to secure to all its citizen’s liberty of belief, faith and worship.

Article 25 (1) allows every citizen to easily follow his own religion, subject to public order, morality and health. Thus in the name of religion, committing sati or infanticide cannot be allowed.

The Hindu religious institutions of a public personality must be thrown open to every Hindu. Caste system or untouchability cannot be practised in the case of entry into public Hindu

temples. The net position thus is, every different citizen in India has full choice of religion. No one is exposed to any social, economic or political perception simply on grounds of religion. Thus, every citizen of India is entitled for equality opportunity for public employment. The religious minority, is given the right to establish and continue educational, charitable and religious institutions with minimum of intervention by the state. Thus no body is entitled to question the secular character of the Indian polity. The constitution takes every care to protect the religious pressure community. In order that culture and religion of the minority public is not swarming by these of the majority community.

**India is a secular state** – As we all know India is a secular state in the preamble of Indian constitution which declares to secure the citizens. People of India started believe in liberty, belief, faith and worship. In India, a secular state never measured as an atheistic state. People who believes in god is theistic and spirituals. Each every person has the right to live in his own way.

Right of a worship has right of every India in their religious freedom. Religion is a matter in which individual have faith and cannot be mixed with secular activities. Indian constitution represents the secularism as a positive concept.

Every person has a right to choose any religion with freedom.

**Freedom of religion in India** – Article 25 - 28 freedom of every religion should be brief The head of this assembly Constituent assembly advisory assembly is Sardar Vallabh Bhai Patel. At the of assembly preamble of the constitution guarantees liberty of belief faith or worship. People believes in god they have their own respect and trust for god in people of a country. It is a matter of faith with religious individuals. In India every citizen of India have right to practice their religion and peacefully they can promote their religion. Freedom of religion means to live in India with any religion.

India is one of the most diverse nations in terms of religion, it being the birthplace of four major world religions: Hinduism, Jainism, Buddhism and Sikhism. Even though Hindus form close to 80 percent of the population, India also has region-specific religious practices: for instance, Jammu and Kashmir has a Muslim majority, Punjab has a Sikh majority, Nagaland, Meghalaya and Mizoram have Christian majorities and the Indian Himalayan States such as Sikkim and Ladakh, Arunachal Pradesh and the state of Maharashtra and the Darjeeling District of West Bengal have large concentrations of Buddhist population. The country has significant Muslim, Sikh, Christian, Buddhist, Jain and Zoroastrian populations. Islam is the largest minority religion in India, and the Indian Muslims form the third largest Muslim population in the world, accounting for over 14 percent of the nation's population<sup>1</sup>

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<sup>1</sup> [https://en.wikipedia.org/wiki/Freedom\\_of\\_religion\\_in\\_India](https://en.wikipedia.org/wiki/Freedom_of_religion_in_India) //2 am // 11/07/18

**Religious freedom – includes cremation ground** – The practice of religion while cremating the dead bodies to the belonging members. Different religions have different methods for cremation. A religion may not only seen in the ethical rules for its followers to accept , but may also prescribe rituals and observation ceremonies and worship which is regarded as an integral part of that religion. It is a responsibility of this court to impose and keep spiritual rights of the petitioners. The entire process should be done under the guidance of deputy commissioner within one month from the date of receipt of this judgment. If someone use ground of cremation is found undesirable and was pollution

### **Judicial perception of right to freedom of religion-**

.Religion has its commence in "a course of action of the feelings or traditions which are regarded by the people who articulate that religion as accommodating for their significant thriving", in any case, it would not be all in all correct to express that religion is nothing else with the exception of an instructing or conviction. A religion may not simply set out a code of good standards for its fans to recognize, it might underwrite traditions and observances, administrations and strategies for affection which are seen as a major bit of religion and these structures and observances may degree even to issues of sustenance and dress. Subject to particular imprisonments, Article 25 introduces a noteworthy perfect for everybody, not exclusively to connect such religious feelings as may be avowed by his judgment or soul yet, likewise, show his feelings and contemplations by such undeniable acts and practices which are approved by his religion. By and by what practices are anchored under the Article is to be picked by the courts in regards to the tradition of a particular religion and fuse rehearses saw by the gathering as an element of its religion. The courts have gone into religious sacrosanct writings to discover the status of a preparation being referred to. In different cases, the courts have commented upon, illuminated an interpreted

### **Restrictions of freedom of religion on conversion-**

THERE IS no all round satisfactory definition with reference to what precisely "religion" is. There has all the earmarks of being close unanimity that religion, by and large, is a conviction or confidence in the presence of a Supernatural Being and the statutes which individuals take after for accomplishing salvation. Opportunity of religion is a perceived essential right in every fair nation established upon the run of law. The degree of the flexibility shifts from nation to nation. In a religious state, religion and law slide into each other and the opportunity given to people having a place with beliefs other than the formally perceived state religion is constantly negligible. The opportunity of religion is an all round acknowledged idea; it discovers articulation in the Universal Declaration of Human Rights, the two International Covenants and certain affirmations by the United Nations General Assembly. The Constitution of each majority rule nation fuses arrangements ensuring religious flexibility to its residents. In the United States, there is finished detachment of religion from the state and this was achieved by the First

Amendment to the American Constitution in 1791. This religious opportunity in the United States has expected, by legal elucidation, peculiar and stunning signs — refusal to salute the National Flag was held to be a religious flexibility, which couldn't be contacted by any enactment.

Luckily, our Supreme Court, even in 1954, in what is prevalently called Sirur Math's case, has rejected the American approach. Opportunity of religion including the flexibility to claim, rehearse and proliferate religion, the Founding Fathers of our Constitution felt, ought to be doled out high need and thus, similar structures some portion of the Fundamental Rights fused in Articles 25 to 28 subject to specific impediments like open request, profound quality and wellbeing. Our idea of religious opportunity is generally in view of Article 44(2) of the Irish Constitution. Opportunity of religion infers flexibility to change religion too. Individuals change over starting with one religion then onto the next because of horde reasons. In the event that transformation is an intentional demonstration reacting to one's inner voice, it can't be blamed on grounds of either law or ethical quality.

### **RAM Mandir disputes**

With the BJP securing a landslide victory in the recently concluded Assembly elections in Uttar Pradesh and placing one of its star campaigners and Hindutva hardliner Yogi Adityanath at the helm, the state's communal integrity is beginning to fracture. Almost inevitably, the Ram Mandir-Babri Masjid row has resurfaced yet again, as the BJP-RSS combine looks to bat for its perennial Hindutva cause. Tuesday's Supreme Court verdict on the long-standing dispute, calling for 'an amicable, out-of-court settlement', has added further weight to the issue. The dispute is at the heart of the Hindu-Muslim communal rift in Uttar Pradesh. For more than half a century, the dispute has fuelled mass polarisation in the state and has prompted the country's worst spate of religious violence since the Partition. The dispute has been a subject of inciting political rhetoric in the lead up to almost all elections in the state and takes centre-stage following Adityanath's ascension. But what is the decades-long dispute all about? Here is all you need to know about it: The dispute is about a plot of land measuring 2.77 acres in the city of Ayodhya in Uttar Pradesh, that houses the Babri mosque and Ram Janmabhoomi. This particular piece of land is considered sacred among Hindus as it is believed to be the birthplace of Lord Ram, one of the most revered deities of the religion. Muslims argue that the land houses the Babri mosque, where they had offered prayers for years before the dispute. The dispute arises over whether the mosque was built on top of a Ram temple – after demolishing or modifying it in the 16th century. Muslims, on the other hand, say that the mosque is their sacred religious place - built by Mir Baqi in 1528 - and that Hindus desecrated it in 1949, when some people placed idols of Lord Ram inside the mosque, under the cover of darkness.

The dispute over this piece of land has defined and then redefined state politics outfits and influenced the mindsets of people throughout the country. Spanning across half a millennium, it

predates empires – Mughal and British – and now even threatens to disrupt the fabric of modern India.

Just ten days after the incident, on 16 December, 1992, the government established the Liberhan Commission of India to investigate the demolition of the Babri Mosque. The report found many BJP leaders culpable including Atal Bihari Vajpayee, LK Advani, Murli Manohar Joshi, Kalyan Singh, Pramod Mahajan, Uma Bharti and Vijayaraje ScIndia, as well as VHP leaders like Giriraj Kishore and Ashok Singhal. , the Supreme Court has asked for 'an amicable, out-of-court settlement' in the dispute. A bench comprising Chief Justice Jagdish Singh Khehar, Justice DY Chandrachud and Justice Sanjay Kishan Kaul said that they believed this 'to be a better course of action than insisting on a judicial pronouncement.'

Back in 2010, the Allahabad High Court had said that there should be a partition of the Ayodhya land between the two parties. BJP leader Subramanian Swamy had urged the apex court to hear a batch of petitions challenging the Allahabad High Court order. The SC has asked Swamy to consult the parties and mention the matter on or before 31 March. The Allahabad High Court's ruling had stated that the 'disputed land was Ram's birthplace', that the 'mosque was built after the demolition of a temple' and that 'it was not built in accordance with the tenets of Islam'. It had ruled that the disputed land would be divided into three equal parts – one-third going to the Ram Lalla, for the construction of the Ram temple; one-third going to the Islamic Sunni Waqf Board and the remaining to Nirmohi Akhara, a Hindu religious denomination.

The apex court had, however, suspended the ruling in 2011 after the Hindu and Muslim groups had appealed against verdict.<sup>2</sup>

**Conclusion** - Religious freedom as a human right and the requirement to accord superior safety to religion. It considers the consequences of a single-minded detection of equality for social rights and the principles of democracy, along with the idea of a secular state that is impersonal to all religion Beliefs. It looks at current human rights law and how it is imaginary to protect religious as well as religious morality, the failure of courts in unlike jurisdictions to respect the specious commands of integrity when they are in struggle with public policy, and the kind joining...

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<sup>2</sup> [https://www.firstpost.com/India/ram-mandir-babri-masjid-row-all-you-need-to-know-about-the-long-standing-dispute-3345206.html#aid\\_3345206](https://www.firstpost.com/India/ram-mandir-babri-masjid-row-all-you-need-to-know-about-the-long-standing-dispute-3345206.html#aid_3345206)