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News: Wearing hijab is not essential part of religion: Karnataka HC

- The **Karnataka High Court** on Tuesday upheld the ban on the wearing of hijab (head scarf) by students in schools and colleges in the State. It held that wearing the hijab is not an essential religious practice in Islam and is not, therefore, protected under by the right to freedom of religion guaranteed by Article 25 of the **Constitution**. The court said it was a reasonable restriction that was constitutionally permissible.

Article 25 of the Indian Constitution

- Article 25 says that all **persons are equally entitled to freedom of conscience and the right to freely profess, practice and propagate religion.**
- The article **also provides protection for the foreigners.**

Implications

- **Freedom of conscience:** Inner freedom of an individual to mould his relation with God or Creatures in whatever way he desires.
- **Right to Profess:** Declaration of one's religious beliefs and faith openly and freely.

- Right to Practice: Performance of religious worship, rituals, ceremonies and exhibition of beliefs and ideas.
- Right to Propagate: Transmission and dissemination of one's religious beliefs to others or exposition of the tenets of one's religion.

Scope

- Article 25 covers religious beliefs (doctrines) as well as religious practices (rituals).
- Moreover, these rights are available to all persons—citizens as well as non-citizens.

Restrictions

- These rights are subject to public order, morality, health and other provisions relating to fundamental rights.
- The State is permitted to regulate or restrict any economic, financial, political or other secular activity associated with religious practice.
- The right under Article 25 (freedom to the free profession, practice and propagation of religion) of the Constitution of India does not extend to public road and footpath. One cannot get the rights to use public roads and streets just because it is for religious purposes.