India (1949)

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| PREAMBLE: WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:JUSTICE, social, economic and political;LIBERTY of thought, expression, belief, faith and worship;EQUALITY of status and of opportunity;and to promote among them allFRATERNITY assuring the dignity of the individual and the (unity and integrity of the Nation);IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION. |
| Article 15 Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.(2) No citizen shall, on ground only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to – (a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public.Article 16 Equality of opportunity in matters of public employment.(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.(2) No citizen shall, **on grounds only of religion**, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State. |
| **Part III** Fundamental Rights |
| Right to Freedom of Religion (Articles 25 - 28) |
| Article 25. *Freedom of conscience and free profession, practice and propagation of religion* (1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.(2) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law (a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice; (b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus. Explanation I - The wearing and carrying of *Kirpans* shall be deemed included in the profession of the Sikh religion. Explanation II - In sub-Clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly. |
| Article 26 *Freedom to manage religious affairs*Subject to public order, morality and health, every religions denomination or any section thereof shall have the right -(a) to establish and maintain institutions for religious and charitable purposes;(b) to manage its own affairs in matters of religion;(c) to own and acquire movable and immovable property; and(d) to administer such property in accordance with law. |
| Article 27. *Freedom as to payment of taxes for promotion of any particular religion-* No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religious denomination. |
| Article 28. *Freedom as to attendance at religious instruction or religious worship in certain educational institutions*(1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds.(2) Nothing in clause (1) shall apply to an educational institution, which is administered by the State but has been established under any endowment or trust, which requires that religious instruction shall be imparted in such institution.(3) No person attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto. |
| Article 29 *Protection of interests of minorities* (1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same. (2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them. |
| Article 30 *Right of minorities to establish and administer educational institutions* (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.(1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause.(2) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.Article 325 No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.There shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House or either House of the Legislature of a State and no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them. |