

U.P.S.C.

प्रश्न संख्या
(Question No.)

इस भाग में कुछ
न लिखें
(Don't write anything
in this part)

Freedom of religion is protected only when interference of state becomes limited in matters of faith, marriage. Secured.

The articles 25-30 ~~provides~~ of the Indian Constitution provides for freedom of religion, which constitutes all dimension of the religious freedom.

Freedom of religion or faith will have restrictions only when there is question of public order, morality and health.

Likewise, marriage is solemnised under respective personal law like Muslim Personal, Hindu Marriage Act-1955,

However, interfaith marriage is registered and solemnised under

U.P.S.C.

इस भाग में कुछ
न लिखें
(Don't write anything
in this part)

प्रश्न संख्या
Question No.)

Special Marriage Act 1954. which is civil in nature.

Thus, given the aforementioned arguments, state do not need interfere in marriage and faith unless conditions mentioned in Articles 25-30.

As Supreme Court has held that

⇒ Marriage is freedom of choice under article 21.

⇒ High Court has held that.

Section 5 of Special Marriage Act against right to privacy guaranteed under article 21

Section 5 is against Right to freedom of Religion guaranteed under Article 25

while, Section 5 of Gujarat Freedom of Religion Act under which prior permission of district magistrate required in case of direct and indirect religious conversion is direct

U.P.S.C.

प्रश्न संख्या
(Question No.)

इस भाग में कुछ
न लिखें
(Don't write anything
in this part)

violation of religious freedom and Right
privacy. as observed in K.S. Puttaswamy
case. privacy as fundamental right

Concerns regarding Faith and Marriage

- ↳ Various states like Uttar Pradesh, Uttarakhand, Madhya Pradesh have enacted ~~Anti~~ Anti conversion law which provide moral policing in personal matters
- ↳ Moral policing and harassment of individuals and community.
- ↳ Trust deficit between communities has led to lack of social harmony.

thus, unnecessary expanding jurisdiction of state in personal matter of individual could lead erosion of right of freedom of religion and faith.