

BALANCING SECULARISM ON POLICIAL MANDATE WITH SPECIAL REFERENCE TO PILGRIMS PRIVILEGES IN INDIA

D. Kannan

Assistant Professor, The Tamilnadu Dr Ambedkar Law University, Taramani, Chennai, Tamil Nadu, India

ABSTRACT

“Secularism in India is not just point of view it’s a question of survival“

Salman Rushdie

Pilgrimage is a devotional act whereby people in different continents, states, regions or in different sides would have aspire to visit the sacred place of worship for the sake of religious¹ attainment in their holy life. The State has an obligation to provide facility towards pilgrimage yatra, despite such state may be secular or religious based. In India, the sacred document called Constitution of India guaranteed religious faith of a citizen though it may be secular structure.² The government of India has constituted a separate committee and board³ for Islam pilgrims which make travel and visit to holy place of Islam with affordable subsidy. According to Constitution of India the matters pertaining to pilgrimage and pilgrims privileges enumerated in the provisions of Constitution.⁴ The government of Gujarat issued an official order providing financial assistance to travel Kailash Manosarovar as a pilgrimage yatra. In Tamilnadu, the government of tamilnadu has ordered certain privileges to the pilgrims during their pilgrimage yatra. In which a Christian pilgrim can avail travel concession to visit pilgrimage yatra to Jerusalem the holy place of Christian community. In spite of the provision enumerated in Constitution of India excluding the role of religion in Indian democracy⁵ the central and state can legislate law in pursuance of matters pertaining to pilgrimage privileges of worship within India or outside of India guaranteed under Union List, Entry 20 and State List, Entry 7.

In order to balancing secularism the government considered all religious group bonding and binding pilgrimage issues. This paper is exploring involvement of political power in balancing secularism without unbiased manner of worship to their citizens. The preamble of the Constitution is the basic structure of our democratic country. Hence government shall protect citizen’s worship rights and to provide privilege for promoting religious faith.

KEYWORDS: *Constitution of India, Yatra, Pilgrims, Secularism, Political, Financial Assistance, Subsidy*

Article History

Received: 29 Jun 2019 | Revised: 17 Jul 2019 | Accepted: 20 Jul 2019

¹ The meaning of the term religion has been stated that the religion concerns with conscience or a matter of faith; such meaning is interpreted in *S P Mittal v. Union of India case*

² Under Art.25 to 30 of the Constitution of India is emphasized that minority rights is to be considered as fundamental right. Moreover the principles of Preamble of the Constitution guaranteed the religious rights of every citizen in India

³ **Hajj Committee and Hajj Board** was established even in 1932 by the British to provide travel subsidy to visit the holy places of Islamic worship in the world. The Hajj Committee Act, 2002 is regulating the Hajj Pilgrimage yatra.

⁴ Art.246 read with Schedule VIII of the Constitution of India provides that state and central can legislate law relating to pilgrimage privilege within or outside India

⁵ Art.225 of Constitution of India provides that “no person can either be excluded from or included in, any electoral roll only on the basis of his religion.”

