

**GOVERNMENT OF INDIA  
MINISTRY OF EDUCATION  
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY**

**LOK SABHA  
UNSTARRED QUESTION NO. 3914  
TO BE ANSWERED ON 28.03.2022**

**Hijab Issue**

**3914. SHRI A. RAJA:**

Will the Minister of EDUCATION be pleased to state:

- (a) the details of incidents over Hijab ban in schools of Karnataka;
- (b) the number of protests and dharnas which occurred all over the country; and
- (c) the efforts made by the Government to resolve the Hijab issue in the interest of providing education to girls belonging to minority community?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF EDUCATION**

**(SMT. ANNPURNA DEVI)**

(a) to (c) Education is in the concurrent list of the Constitution and majority of the schools are under the domain of respective State and UT Governments. For this matter, the appropriate authority is the State Government.

The aggrieved parties in the matter of Hijab ban approached the Hon'ble High Court of Karnataka, which, vide its order dated 10.02.2022 restrained all the students regardless of their religion or faith from wearing saffron shawls (Bhagwa), scarfs, hijab, religious flags or the like within the classroom, until further orders. The State Govt. implemented the said order.

Further, a full Bench of the Karnataka High Court in their order dated 15.03.2022 inter-alia observed "*It is also true that our Constitution protects the rights of school children too against unreasonable regulations. However, the prescription of dress code for the students that too within the four walls of the class room as distinguished from rest of the school premises does not offend constitutionally protected category of rights, when they are 'religion-neutral' and 'universally applicable' to all the students.*" The Hon'ble High Court further observed "*In view of the above, we are of the considered opinion that the prescription of school uniform is only a reasonable restriction constitutionally permissible which the students cannot object to*". Further, the matter is still sub-judice before the Hon'ble Supreme court of India.

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