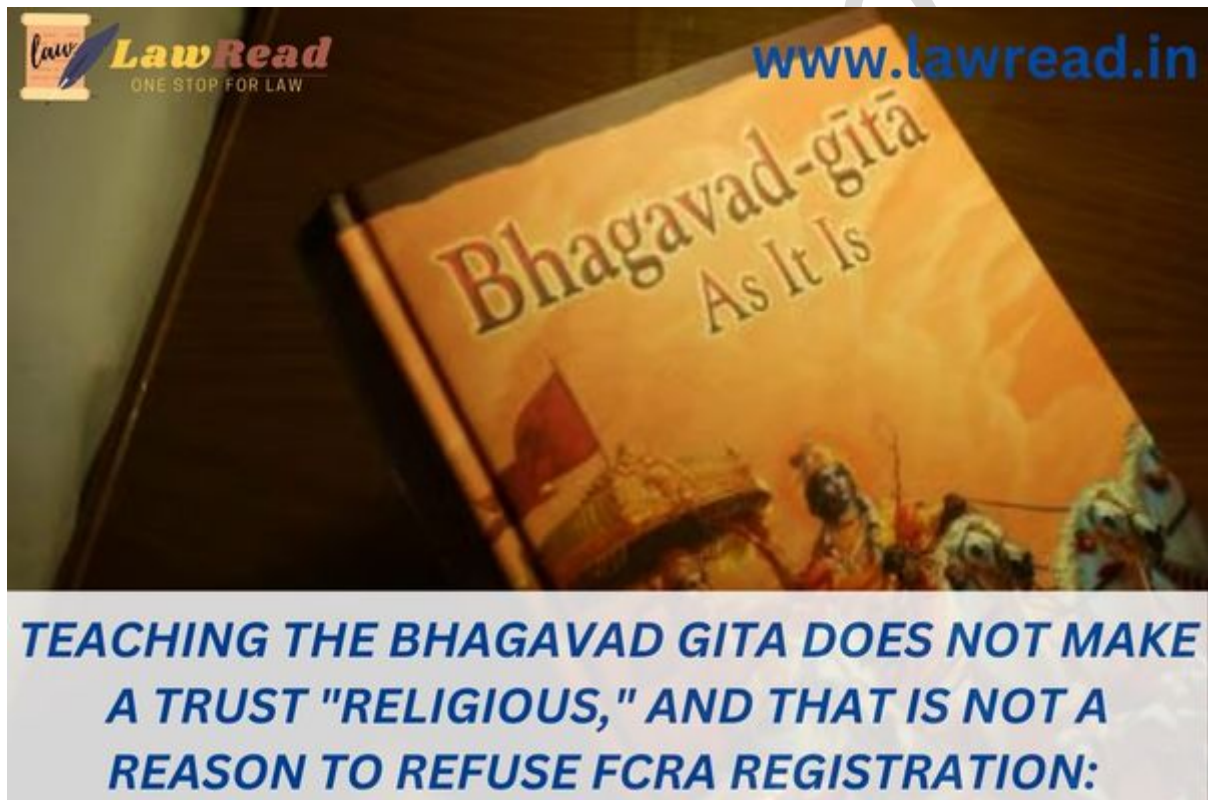


News

Teaching the Bhagavad Gita does not make a Trust "religious," and that is not a reason to refuse FCRA registration:



Madras High Court

The Court made it clear that the Trust is not a religious group just because it teaches Vedanta, Sanskrit, and Yoga. They also told the Home Ministry to look over their FCRA decision again within three months.

The Madras High Court recently said that the Bhagavad Gita is not a religious book for the purposes of the Foreign Contribution (Regulation) Act (FCRA). This means that a

Trust's FCRA registration cannot be denied because it taught Gita and Yoga. [Arsha Vidya Parampara Trust v. The Union of India and Others]

So, it overturned the Union Home Ministry's decision to deny FCRA registration to Arsha Vidya Parampara Trust, saying that the decision was based on poor logic and mistakes in the process.

Justice GR Swaminathan told the Ministry to look over the application again that the charity trust based on Vedanta teachings sent in.

The Arsha Vidya Parampara Trust was founded in 2017 and teaches Vedanta, Sanskrit, and Yoga. It also tries to protect old manuscripts.

The Trust asked to be registered with the FCRA in 2021, but the request was not processed for many years. The Home Ministry sought clarifications in 2024 and 2025, and a fresh application filed in January 2025 was finally rejected in September 2025.

The Trust then took the case to the High Court to appeal.

A key reason the Ministry stated for rejecting the application was its view that the Trust “appears to be religious.”

The Court studied this claim in detail, drawing on past judicial observations about the Bhagavad Gita and the nature of its teachings.

It said,

"Bhagavad Gita is not a holy book. It is rather a moral science... Bhagavad Gita cannot therefore be confined within a given religion. It is a part of Bharatiya culture."

The Ministry had claimed that the Trust's focus on teaching the Bhagavad Gita, Upanishads, Vedanta and Sanskrit made it a religious organisation.

The Court found that this thinking fell short of what Section 11 of the FCRA requires.

The provision allows groups with cultural, educational, religious or social aims to receive

foreign contributions, but only if officials make a “**definite**” and well-supported finding before denying registration.

It explained this condition, saying,

"The word 'definite'...is significant... In the impugned order, the second respondent had decided that the petitioner-association “appears to be religious”. What the Section envisages is that the authority must be categorical and clear about the nature of the activities of the applicant... It cannot be a tentative one.”

The Court also rejected the Ministry’s view that teaching Vedanta, Sanskrit, and Yoga made the Trust a religious organization.

It said Vedanta is a philosophical theory and Yoga a universal practice for well-being and that offering such teachings alone does not make a group religious.

The Ministry also pointed to a ₹9-lakh contribution the Trust had gotten from a trustee who is an Overseas Citizen of India, saying it violated FCRA rules because prior approval had not been obtained.

The Trust acknowledged the mistake and decided to “compound” the offence under Section 41 of the Act, which allows certain violations to be settled by paying a fee.

The Court noted that once an offence has been compounded, it cannot later be treated as a ground to deny registration,

The Ministry itself finished the compounding process in August 2025, the Court noted.

“When once the offence has been compounded, the contravention can never be an adverse ground which can be cited against the applicant,” said the court.

The Court also ruled that the Ministry should have informed the Trust if accepting the compounding offer would negatively affect its application.

"If the authority had intended to reject the petitioner's application on the ground of contravention of the provisions of the Act, then, the authority even while giving an option of compounding should have made it clear that compounding will only shield

them from prosecution and that it would amount to acceptance of guilt leading to disqualification," added the court.

An additional allegation that the Trust had transferred foreign contributions to another group was raised for the first time only in the final rejection order.

The Court pointed out that this problem had neither been raised in any earlier communication nor were any specifics provided.

It held that introducing a new charge at the last stage without giving the Trust a chance to respond violated basic principles of natural justice.

In light of these observations, the Court ordered the Home Ministry's FCRA Wing to reconsider the Trust's application and, if it has solid proof of any fund transfer, to issue a fresh and detailed notice.

The Ministry has been asked to finish this process within three months of receiving the order.

The petition was contested by Senior Counsel Sricharan Rangarajan and advocate Mohamed Ashick on behalf of the Trust.

The Union Home Ministry and the other respondent was represented by Additional Solicitor General of India ARL Sundaresan assisted by Deputy Solicitor General of India K Govindarajan.