

Ordinance Summary

The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020

- The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 was promulgated on November 27, 2020. The Ordinance specifies the procedure for undergoing religious conversion and prohibits unlawful religious conversion.
- **Procedure for religious conversion:** The Ordinance requires individuals seeking to convert and religious convertors (who perform the conversion) to submit an advance declaration of the proposed religious conversion to the District Magistrate (DM). The declarations have to be given with a notice of: (i) 60 days by the individual, and (ii) one month by the convertor. Any violation of this procedure shall attract punishment of: (i) imprisonment between six months and three years, and a fine of at least Rs 10,000 (for individuals undergoing conversion), and (ii) imprisonment between one and five years, and a fine of at least Rs 25,000 (for convertors). A violation will also render the conversion illegal and void.
- On receiving both the declarations, the DM must conduct a police enquiry into the intention, purpose, and cause of the proposed conversion.
- Within 60 days of the date of conversion, the converted person must submit a declaration to the DM. The declaration will contain details including the name, address, and the old and new religion of the person. The DM will exhibit a copy of the declaration publicly till the date of confirmation of the conversion and record any objections to the conversion. The converted person must appear before the DM to establish his/her identity, within 21 days of sending the declaration, and confirm the contents of the declaration. Violating these procedures will render the conversion illegal and void.
- **Causing religious conversion:** The Ordinance prohibits conversion of religion through: (i) force, misrepresentation, undue influence, and allurements, or (ii) fraud, or (iii) marriage. It also prohibits a person from abetting, convincing, and conspiring to such conversions. However, a person re-converting to his/her immediate previous religion is allowed.
- **Marriages involving religious conversion:** Under the Ordinance, a marriage is liable to be declared void if: (i) it was done for the sole purpose of unlawful conversion, or vice-versa, and (ii) the religious conversion was not done as per the procedure specified in the Ordinance.
- **Complaints against coerced conversion:** Under the Ordinance, a First Information Report (FIR) against unlawful religious conversion may be filed by: (i) any aggrieved person, (ii) his/her parents or siblings, or (iii) any other person related to them by blood, marriage, or adoption.
- **Punishment for causing unlawful conversion:** The Ordinance provides for punishment for causing or facilitating unlawful religious conversion, as specified in Table 1. Further, each repeat offence will attract double the punishment specified for the respective offence. In addition, the accused will be liable to pay compensation of up to five lakh rupees to the victim of conversion. All offences under the Ordinance are cognisable and non-bailable.

Table 1: Punishment for unlawful conversions

Type of offence	Term of imprisonment	Fine amount
Offence by individuals		
Mass conversion (conversion of two or more persons)	3-10 years	Rs 50,000 or more
Conversion of a minor, woman, or person belonging to SC or ST	2-10 years	Rs 25,000 or more
Any other conversion	1-5 years	Rs 15,000 or more
Offence by organisations		
Type of Offence	Punishment	
If any of the above offences are committed by an organisation	(i) Probable Cancellation of registration (ii) No provision of financial aid or grant from the state government	

- **Burden of proof of conversion:** The Ordinance assigns the burden of proof of the lawfulness of a religious conversion on the persons causing or facilitating such conversions.

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