

THE UTTAR PRADESH PROHIBITION OF UNLAWFUL
CONVERSION OF RELIGION ACT, 2021

[U. P. Act No. 3 of 2021]

Amended by

U.P. Act No. 7 of 2024

[As passed by the U.P. Legislature, assented to by the
Governor on March 4, 2021 and was published in U.P. Gazette
Extraordinary on March 5, 2021.]

AN

ACT

*to provide for prohibition of unlawful conversion from
one religion to another by misrepresentation, force, undue
influence, coercion, allurement or by any fraudulent means or
by marriage and for the matters connected therewith or
incidental thereto.*

IT IS HEREBY enacted in the Seventy-second Year of the
Republic of India as follows:-

**Short title,
extent and
commencement**

1. (1) This Act may be called the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021.

(2) It shall extend to whole of Uttar Pradesh.

(3) It shall be deemed to have come into force on November 27, 2020.

Definitions

2. In this Act, unless the context otherwise requires,-

(a) "**Allurement**" means and includes offer of any temptation in the form of-

(i) any gift, gratification, easy money or material benefit either in cash or kind;

(ii) employment, free education in reputed school run by any religious body; or

(iii) better lifestyle, divine displeasure or otherwise;

(b) "**Coercion**" means compelling an individual to act against his/her will by the use of psychological pressure or physical force causing bodily injury or threat thereof;

(c) "**Conversion**" means renouncing one's own religion and adopting another religion;

(d) "**Force**" includes a show of force or a threat of injury of any kind to the person converted or sought to be converted or to any other person or property impersonation;

(e) "**Fraudulent means**" includes impersonation of any kind, by false name, surname, religious symbol or otherwise;

(f) "**Mass Conversion**" means where two or more persons are converted;

(g) "**Minor**" means a person under eighteen years of age;

(h) "**Religion**" means any organized system of worship pattern, faith, belief, worship or lifestyle, as prevailing in India or any part of it, and defined under any law or custom for the time being in force;

(i) "**Religion Convertor**" means person of any religion who performs any act of conversion from one religion to another religion and by whatever name he is called such as Father, Karmkandi, Maulvi or Mulla etc.;

(j) "**Undue influence**" means the unconscientious use by one person of his/her power or influence over another in order to persuade the other to act in accordance with the will of the person exercising such influence;

(k) "**Unlawful Conversion**" means any conversion not in accordance with law of the land.

Prohibition of conversion from one religion to another religion by misrepresentation, force, fraud, undue influence, coercion, allurement

3. (1) No person shall convert or attempt to convert, either directly or otherwise, any other person from one religion to another by use or practice of misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means. No person shall abet, convince or conspire such conversion.

Explanation:- For the purposes of this sub-section conversion by solemnization of marriage or relationship in the nature of marriage on account of factors enumerated in this sub-section shall be deemed included.

(2) If any person re-converts to his immediate previous religion, the same shall not be deemed to be a conversion under this Act.

Explanation:- For the purposes of this sub-section immediate previous religion means the religion in which the person had faith, belief or was practiced by the person voluntarily and freely.

Person competent to lodge First Information Report

¹ **[4.** An information relating to the contravention of the provisions of the Act may be given by any person and the manner of giving such information shall be the same as given in Chapter XIII of the Bharatiya Nagrik Suraksha Sanhita, 2023 (Act no. 46 of 2023).]

Punishment for contravention of provisions of section 3

² **[5.** (1) Whoever contravenes the provisions of section 3 shall, without prejudice to any civil liability, be punished with imprisonment for a term, which shall not be less than three years but which may extend to ten years and shall also be liable to fine which shall not be less than fifty thousand rupees:

Provided that whoever contravenes the provisions of section 3 in respect of a minor, a disabled or mentally challenged person, a woman or a person belonging to the Scheduled Castes or the Scheduled Tribes, shall be punished with rigorous imprisonment for

1. Subs. by sec. 2 of U.P. Act No. 7 of 2024.
2. Subs. by sec. 3 of U.P. Act No. 7 of 2024.

a term which shall not be less than five years but which may extend to fourteen years and shall also be liable to fine which shall not be less than one lakh rupees :

Provided further that whoever contravenes the provisions of section 3 in respect of mass conversion of religion shall be punished with rigorous imprisonment for a term which shall not be less than seven years but which may extend to fourteen years and shall also be liable to fine which shall not be less than one lakh rupees.

(2) Whoever receives money from any foreign or illegal institutions in connection with unlawful religious conversion shall be punished with rigorous imprisonment for a term which shall not be less than seven years but which may extend to fourteen years and shall also be liable to fine which shall not be less than ten lakh rupees.

(3) Wherever, with the intent to convert, puts any person in fear of his life or property, assaults or uses force or marries or promises to marry or induces or conspires for the same, or traffics a minor, a woman or a person by enticing them or otherwise selling them, or abets, attempts or conspires in this behalf, shall be punished with rigorous imprisonment for a term which shall not be less than twenty years but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine :

Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim :

Provided further that any fine imposed under this section shall be paid to the victim.

(4) The Court shall also approve appropriate compensation payable by the accused to the victim of the said conversion, which may extend to five lakh rupees, in addition to the fine.

(5) Whoever, having previously been convicted of an offence under this Act, is again convicted of an offence punishable under this Act, shall, for every such subsequent offence, be liable to a punishment not exceeding twice the punishment provided in that behalf under this Act.]

Marriage done for sole purpose of unlawful conversion or vice-versa to be declared void

6. Any marriage done for sole purpose of unlawful conversion or *vice-versa* by the man of one religion with the woman of another religion, either by converting himself/herself before or after marriage, or by converting the woman before or after marriage, shall be declared void by the Family Court or where Family Court is not established, the Court having jurisdiction to try such case on a petition presented by either party thereto against the other party of the marriage:

Provided that all the provisions of Section 8 and 9 shall apply for such marriages to be solemnized.

**Offences to be
non-bailable
and cognizable**

¹[7. Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023), all offences under this Act shall be cognizable and non-bailable and triable by the Court of Sessions.

(2) No person accused of any offence punishable under this Act, if in custody, shall be released on bail, unless,—

(a) the Public Prosecutor has been given an opportunity to oppose the bail application for such release; and

(b) where the Public Prosecutor opposes the bail application, the Court of Sessions is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.]

**Declaration
before
conversion of
religion and
pre-report
about
conversion**

8. (1) One who desires to convert his/her religion, shall give a declaration in the form prescribed in Schedule-I at least sixty days in advance, to the District Magistrate or the Additional District Magistrate specially authorized by the District Magistrate, that he wishes to convert his/her religion on his/her own and with his/her free consent and without any force, coercion, undue influence or allurement.

(2) The religious convertor, who performs conversion ceremony for converting any person of one religion to another religion, shall give one month's advance notice in the form prescribed in Schedule-II of such conversion, to the District Magistrate or any other officer not below the rank of Additional District Magistrate appointed for that purpose by the District Magistrate of the district where such ceremony is proposed to be performed.

(3) The District Magistrate, after receiving the information under sub-section (1) and (2), shall get an enquiry conducted through police with regard to real intention, purpose and cause of the proposed religious conversion.

(4) Contravention of sub-section (1) and/or sub-section (2) shall have the effect of rendering the proposed conversion, illegal and void.

(5) Whoever contravenes the provisions of sub-section (1) shall be punished with imprisonment for a term which shall not be less than six months but may extend to three years and shall also be liable to fine which shall not be less than rupees ten thousand.

(6) Whoever contravenes the provisions of sub-section (2) shall be punished with imprisonment for a term which shall not be less than one year but may extend to five years and shall also be liable to fine which shall not be less than rupees twenty five thousand.

1. [Subs. by sec. 4 of U.P. Act No. 7 of 2024.](#)

**Declaration
post
conversion of
religion**

9. (1) The converted person shall send a declaration in the form prescribed in Schedule-III within sixty days of the date of conversion, to the District Magistrate of the District in which converted person resides ordinarily.

(2) The District Magistrate shall exhibit a copy of the declaration on the notice board of the office till the date of confirmation.

(3) The said declaration shall contain the requisite details, *i.e.*, the particulars of the convert such as date of birth, permanent address, and the present place of residence, father's/husband's name, the religion to which the convert originally belonged and the religion to which he has converted, the date and place of conversion and nature of process gone through for conversion.

(4) The converted individual shall appear before the District Magistrate within 21 days from the date of sending/filing the declaration to establish her/his identity and confirm the contents of the declaration.

(5) The District Magistrate shall record the factum of declaration and confirmation in a register maintained for this purpose. If any objections are notified, he may simply record them, *i.e.*, the name and particulars of objectors and the nature of objection.

(6) Certified copies of declaration, confirmation and the extracts from the register shall be furnished to the parties, who gave the declaration to his/her authorized legal representative on his/her request.

(7) The contravention of sub-sections 1 to 4 shall have the effect of rendering the said conversion illegal and void.

**Punishment for
violation of
provisions of
Act by an
institution or
organization**

10. (1) If any institution or organization violates the provisions of this Act, the person or persons in charge of the affairs of the organisation or the institution, as the case may be, shall be subject to punishment as provided under section 5 and the registration of the organization or the institution under any law for the time being in force may be cancelled by competent authority upon reference made by the District Magistrate in this regard.

(2) The State Government shall not provide any financial aid or grant to such institution or organization violating the provisions of this Act.

**Parties to
offence**

11. When an offence is committed under this Act, each of the following shall be deemed to have taken part in committing the offence and shall be guilty of the offence, and shall be charged as if he has actually committed the said offence, that is to say,–

(i) every person who actually does the act which constitutes the offence;

(ii) every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence;

(iii) every person who aids or abets another person in committing the offence;

(iv) any person who counsels, convinces or procures any other person to commit the offence.

Burden of proof

12. The burden of proof as to whether a religious conversion was not effected through misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage, lies on the person who has caused the conversion and, where such conversion has been facilitated by any person, on such other person.

Power to remove difficulties

13. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions, not inconsistent with the provisions of this Act, as appear to it, to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before both the Houses of State Legislature.

Power to make rules

14. The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

Repeal and saving

15. (1) The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 is hereby repealed.

U.P. Ordinance no. 21 of 2020

(2) Notwithstanding such repeal, anything done or any action taken under the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 shall be deemed to have been done or taken under the provisions of this Act.

SCHEDULE -I

Form of Declaration [see sub-section (1) of section 8]

Intimation regarding intended conversion from one religion to another

To,

The District Magistrate

District.....

Uttar Pradesh.

Sir,

I,.....s/o/d/o.....r/o
intend to perform necessary ceremony for conversion from.....
religion to.....religion, do hereby, give intimation of intended
conversion as required by sub-section (1) of section 8:

1. Name of the person to be converted.....

2. Name of the :

(a) Father of the person to be converted.....

(b) Mother of the person to be converted.....

3. Address of the person to be converted.....

House No.Ward No.

Mohalla.....Village.....Tahsil.....

District.....

4. Age(DOB)

5. Sex.....

6. Occupation and monthly income

7. Whether married or unmarried.....

8. Name of persons, if any, dependent upon the person to be converted
.....

9. If any minor , name and full address of the guardian, if
any.....

10. Whether belong to Scheduled Caste or Scheduled Tribe and if so, particulars of
such caste.....

11. Name of the place where the conversion ceremony is intended to take place
with full details-

House No.....Ward No.....Mohalla.....

Village.....District

12. Date for Conversion.....

13. Religious priest:

(i) Name, qualification and experience.....

(ii) Address

VERIFICATION

I,do hereby declare that the information stated above is
true to the best of my knowledge and belief and nothing has been concealed.

Signature.....

Date.....

Place.....

SCHEDULE-II

Form of notice [see sub-section (2) of section 8]

**Notice by the religious priest regarding intended conversion
from one religion to another**

To,

The District Magistrate

District.....

Uttar Pradesh.

Sir,

I,.....s/o/ d/or/o.....do hereby, give notice as required by sub-section (2) of section 8 for intended conversion from.....religion toreligion and particulars of aforesaid intended conversion are as below:

1. Name of the person to be converted.....
2. Name of the:
 - (a) Father of the person to be converted.....
 - (b) Mother of the person to be converted.....
3. Address of the person to be converted
House No..... Ward No.....Mohalla.....
Village.....Tahsil.....District.....
4. Age.....(DOB)
5. Sex.....
6. Occupation and monthly income.....
7. Whether married or unmarried.....
8. Name of persons, if any, dependent upon the person to be converted.....
9. If a minor, name and full address of the guardian, if any.....
10. Whether belongs to Scheduled Caste or Scheduled Tribe and if so, particulars of such Caste.....
11. Name of the place where the conversion ceremony is intended to take place with full details House No.....Ward No..... Mohalla..... Village..... District.....
12. Date for conversion.....
13. Religious priest:.....
 - (i) Name, qualification and experience.....
 - (ii) Address

VERIFICATION

I,do hereby declare that the information stated above is true to the best of my knowledge and belief and nothing has been concealed.

Signature.....

Date.....

Place.....

SCHEDULE-III

Form of Declaration (see section 9)

Intimation regarding conversion from one religion to another

To,

The District Magistrate
District.....
Uttar Pradesh.

Sir,

I,.....s/o/ d/o.....r/o
having performed the necessary ceremony for conversion from.....
religion to..... religion, do hereby, give intimation of the conversion as
required by section 9 as under:-

1. Full Name of the person converted:

(1) before conversion-----

(2) after conversion (if the name is changed).....

2. Name of the:

(a) Father of the person converted.....

(b) Mother of the person converted.....

3. Address of the person converted

House No.....Ward No.....Mohalla.....

Village.....Tahsil.....District.....

4. Age.....(DOB)

5. Sex.....

6. Occupation and monthly income.....

7. Whether married or unmarried.....

8. Name of persons, if any, dependent upon the person converted

9. If a minor, name and full address of the guardian, if
any,.....

10. Whether belongs to Scheduled Caste or Scheduled Tribe and if so, particulars of
such Caste.....

11. Name of the place where the conversion ceremony has taken place with full
details

House No.....Ward No.....Mohalla.....

Village.....District.....

12. Date of conversion.....

13. Religious priest:.....

(i) Name, qualification and experience.....

(ii) Address

14. Names, addresses and other particulars (relationship with the person converted, if any) of at least two persons other than religious priest who had taken part in the conversion ceremony:

(1).....

(2).....

VERIFICATION

I,..... do hereby declare that the information stated above is true to the best of my knowledge and belief nothing has been concealed.

Signature.....

Witness: (1).....

Witness: (2).....

Date.....

Place.....

STATEMENT OF OBJECTS AND REASONS

The Constitution of India guarantees religious freedom to all persons which reflects the social harmony and spirit of India. The objective of this right is to sustain the spirit of secularism in India. According to the Constitution, State has no religion and all religions are equal before the State, and no religion shall be given preference over the other. All persons are free to preach, practice and propagate any religion of their choice.

The Constitution confers on each individual the fundamental right to profess, practice and propagate his religion. However, the individual right to freedom of conscience and religion cannot be extended to construe a collective right to proselytize; the right to religious freedom belongs equally to the person converting and the individual sought to be converted.

However, in the recent past many such examples have come to light where gullible persons have been converted from one religion to another by misrepresentation, force, undue influence, coercion, allurement or by fraudulent means. The law related to right to religious freedom already exists in various States of the country but there was no statute on the said subject in Uttar Pradesh.

In view of the above, it was decided to enact a law to provide for prohibition of unlawful conversion from one religion to another by misrepresentation, force, undue influence, coercion, allurement or fraudulent means, and for matters connected therewith or incidental thereto.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 (U.P. Ordinance no. 21 of 2020) was promulgated by the Governor on November 27, 2020.

This Bill is introduced to replace the aforesaid Ordinance.

