

## UTTARAKHAND FREEDOM OF RELIGION RULES,2018

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(8) In pursuance of the provisions of clause (3) of Articles 348 of "The Constitution of India", the Governor is pleased to order the publication of the following English translation of Notification No. 99/VI/2018, Dehradun, dated August 29, 2018 for general information: NOTIFICATION Miscellaneous August 29, 2018 No. 99/VI/2018--In exercise of the powers conferred by sub section (1) of section 16 of the Uttarakhand Freedom of Religion Act. 2018 (Act no. 28 of 2018), the Governor is pleased to make following rules for the purposes of prohibition of conversion from one religion to another by misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage and to facilitate the matters incidental thereto; The Uttarakhand Freedom of Religion Rules, 2018 Short title and Commencement Definitions Notice before conversion 1. 2. 3 (1) These Rules may be called the Uttarakhand Freedom of Religion Rules, 2018. (2) It shall come into force at once. (1) In these rules, unless there is anything repugnant in the subject or context :- (a) 'Act' means the Uttarakhand Freedom of Religion Act, 2018; (b) 'Form' means form appended to these rules; (c) 'Government' means the Uttarakhand State Government; (d) 'State' means State of Uttarakhand; (e) 'Section' means the section of the Uttarakhand freedom of religion Act. 2018. (2) Words and expressions used herein and not defined, but defined in the Act, shall have the same meaning respectively assigned to them in the Act. (1) Any person domiciled in the State and intending to convert his religion, shall give a notice to the District Magistrate of the District in which he is permanently resident, prior to such conversion, in Form 'A'. (2) The District Magistrate shall cause all notices received under sub- rule (1) to be entered in a Register of Notices and Complaints of conversion in Form B, and may within fifteen days from the receipt of said notice, get the matter enquired into by such agency as he may deem fit and record his findings as regards the particulars of notice given: Provided that adequate opportunity shall be given to the person giving notice and any other person likely to be prejudicially affected to associate himself with any such enquiry. Inquiries in other cases Registration and Investigation of Case Sanction for Prosecution Submission of report to the State Government Repealment of Registration of Institution or Organization% 4. 5. 6. 7. 8. (9) (3) On receipt of the application made under sub-rule (1) in Form A, the District Magistrate shall put his signature thereon indicating the date and time of receipt of such application. An acknowledgement for the receipt of the application shall be given in Form 'B'. (1) Where on the basis of any complaint or any information laid before him, the District Magistrate is of the opinion, for reasons to be recorded that- (a) Misrepresentation, force, undue influence, coercion, allurement or any fraudulent means or marriage have been used or likely to be used in any conversion within the local limits of his jurisdiction; or (b) A conversion has taken place without notice in contravention of the provisions of this Act, he may cause an inquiry to be made in the matter and proceed in the manner as provided in rule 3. (2) Every such complaint so received shall be entered in the Register of Notices and Complaints of conversion in Form 'B'. If after enquiry under rule 3 or rule 4, as the case may be, the District Magistrate records a finding that a conversion, through misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage has taken place or is likely to take place or done without the requisite notice, he shall enter the particulars of the case in the Register of Forced Conversion in Form 'C' and refer the case along with all material adduced during the course of the enquiry to the Police Station in which the person is resident or where the conversion is intended or done for registration of a case and its investigation. If after investigating the matter, it appears that an offence under section 8 has been committed, the Investigating Officer shall place all relevant material before the authority empowered under section 9 to grant prosecution sanction and such sanction shall be granted or refused within a period of seven days, giving reasons in The District Magistrate of the each district in the State shall on the 10th of each month send to the State Government a report of intimations received by him in this respect during the preceding month in Forms 'D' The provision of conversion given in rule 3, 4, 5 and 6 shall be applicable, 'mutatis mutandis', regarding the registration of the Institution or Organization. NOTICE BEFORE CONVERSION FROM ONE RELIGIOUS FAITH TO ANOTHER The District Magistrate, District Sir, aged belonging to Scheduled Caste or Scheduled Tribe or General category intend to religious faith and do hereby declare religious faith to convert from . that the said conversion is on my own will and without use of any force or inducement. My date of Prohibition of accepting donation or contribution Burden of proof Explanation birth is ..... 9. 10. ( 10 ) Subject to the section 11 of Act, if any person or Institution or Organization receive any kind of donation or contribution regarding conversion, such donation or contribution may be forfeited by district magistrate after such inquiry as he may deem fit and giving reasonable opportunity of hearing and such

person or institution or organization shall be liable for the punishment under sub section (5) and sub section (6) of section 8 of the Act. Subject to the section 13 of Act, if any person, priest, institution or organization convert]make conversion from misrepresentation, force, undue influence, coercion, allurement or any other fraudulent method or by marriage, the burden of proof shall lie on such person who have made the aforesaid conversion and when any person, priest, institution or organization has ensured such conversion then the burden of proof shall lie on such person, priest, institution or organization. For the purpose of section 3 and section 6 of the Act wherever the word 'marriage' occurs in the Act, marriage means marriage done as a consequence of conversion from one religion to another religion, which is done . with the intention of misrepresentation, force, coercion, allurement or any other fraudulent means. FORM A See rule 3 (1) Place: Date: and I am not a minor. Signature of the person intending to convert religion (11 ) FORM ( See rule ) REGISTER OF NOTICES AND COMPLAINTS OF CONVERSION Date receipt notice of Name and Father's of address of name or the person complaint giving notice or making complaint Name and Age full address of the person converting Sex 6 if Date Occupation Whether married or and unmarried monthly income of the person converted Name 2 of 3 If a minor, name and full address of the guardian, if any IO 4 Whether belongs to Scheduled Caste or Scheduled Tribe and if particulars of such Caste or Tribe. 11 5 Whether inquiry conducted or not, and conducted, findings of the inquiry in brief. 12 7 Date, 8 of Final Result persons, if any, dependent upon the person converted 9 referred to prosecution Police Station sanction, if any under section 5 pr Section 4 (2) (Specifr). 13 14 15 ( 12 )



FORM C (see rule S) REGISTER OF FORCED CONVERSION receipt of address of notice or the person  
 complaint giving notice or making complaint 2 name , 3 full address of the person converting 4 Occupation  
 Whether married or monthly unmarried 5 Date, referred 6 income of the person converted 7 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 particulars such Caste or Tribe 11  
 Findings of the inquiry in brief 12 if to Date of Verdict of prosecution court with sanction, if any date  
 Police Station under section 5 13 or reasons for refusal 14 15 ( 13 ) FORM D (see rule 7) of No. of  
 inquiries disposed of during No. of cases No. of cases pending inquiry at the end of previous month 1 No.  
 of notices / Total No. complaints pending received during inquiries month. 2 3 month Filed 4(a) Sent  
 registration 4(b) pending at the end of the month. for of 5 By Order, DILIP JAWALKAR, Secretary  
 (Incharge). (arg040) 02 I

