

Gujarat Freedom of Religion (Amendment) Bill, 2006
Act 30 of 2006

A bill to further amend the Gujarat Freedom of Religion Act, 2003.

It is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:

1. Short title and commencement

- (1) This Act may be called the Gujarat Freedom of Religion (Amendment) Act, 2006.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. Amendment of section 2 of Gujarat 22 of 2003

In the Gujarat Freedom of Religion Act, 2003, in Section 2, for clause (b), the following shall be substituted, namely:

- “(b) “Convert” means to make one person to renounce one religion and adopt another religion; but does not include to make one person to renounce one denomination and adopt another denomination of the same religion.

Explanation: For removal of doubt, it is hereby illustrated that for the purpose of this Act:

- (i) Jain and Buddhist shall be construed as denominations of Hindu religion;
- (ii) Shia and Sunni shall be construed as denominations of Muslim religion; and
- (iii) Catholic and Protestant shall be construed as denominations of Christian religion.”

STATEMENT OF OBJECTS AND REASONS

Clause (b) of Section 2 of the Gujarat Freedom of Religion Act, 2003 defines the term “convert”. The said definition does not elaborate the specific mention of a particular denomination of religion. It is considered that conversion amongst the inter denomination of the same religion should be excluded from the operation of the Act. It is, therefore, considered necessary to elaborate and clarify the term “convert” to make it more specific.

Accordingly, the term “convert” in clause (b) of Section 2 of the Act is proposed to be amended to elaborate the said term so as to clarify illustratively that Jain and Buddhist shall be construed as denominations of Hindu religion, Shia and Sunni shall be construed as denominations of Muslim religion and Catholic and Protestant shall be construed as denominations of Christian religion for the purpose of the Act and the provisions of the Act shall not apply to inter-denomination conversion of the same religion.

This Bill seeks to amend the said Act to achieve the aforesaid object.

Amit Shah

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill provides for delegation of legislative power in the following respects:

- Clause 1:* Sub clause (2) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 13th September, 2006 Amit Shah