

Bill No. 65 of 2019

THE SABARIMALA SREEDHARMA SASTHA TEMPLE
(SPECIAL PROVISIONS) BILL, 2019

By

SHRI N.K. PREMACHANDRAN, M.P.

A

BILL

*to provide for maintaining status quo on religious practices of the Sabarimala
Sreedharma Sastha Temple, as existed on the 1st day of September, 2018
and for matters connected therewith*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Sabarimala Sreedharma Sastha Temple (Special Provisions) Act, 2019.

Short title
and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

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

Definitions.

(a) "conversion", with its grammatical variations, includes alteration or change
of whatever nature;

(b) "religious practice" includes custom, tradition or manner of worship as existed
10 and practiced in the Sabarimala Sreedharma Sastha Temple on or before the 1st day of
September, 2018; and

(c) "Sabarimala Sreedharma Sastha Temple" situated in Sabarimala in Pathanamthitta District in the State of Kerala include Sannithanam, Pampa, Nilakkal, Erumeli and Panthalam Palace.

Continuance
of existing
religious
practice of
Sabarimala
Sreedharma
Sastha
Temple.

3. (1) Notwithstanding anything contained in any judgment, order or decree of any court, the religious practices of Sabarimala Sreedharma Sastha Temple shall continue to be the same as existed and practiced on the 1st day of September, 2018. 5

(2) If, on the commencement of this Act, any suit, appeal or other proceeding with respect to the religious practices of Sabarimala Sreedharma Sastha Temple is pending before any court, tribunal or other authority, the same shall abate, and no suit, appeal or other proceeding with respect to any such matter shall lie on or after such commencement in any court, tribunal or other authority: 10

Provided that if any suit, appeal or other proceedings, instituted or filed on the ground that conversion has taken place in the religious practices after the 1st day of September, 2018, is pending on the commencement of this Act, such suit, appeal or other proceeding shall be disposed of in accordance with the provisions of sub-section (1). 15

Conversion of
religious
practices shall
be in
accordance
with the
tradition and
custom.

4. The necessity, if any, of conversion of religious practices of the Sabarimala Sreedharma Sastha Temple shall be in accordance with the tradition custom, existed and practiced on or before 1st September, 2018.

Enforcement
of religious
practices.

5. The Central Government and the Government of the State of Kerala shall ensure enforcement of the religious practices. 20

STATEMENT OF OBJECTS AND REASONS

The attempt for conversion of tradition and custom followed and practiced in Sabarimala Sreedharma Sastha Temple on 1st September, 2018 ceated unrest in the mind of devotees of Sabarimala Sreedharma Sastha Temple. This has become an issue of law and order in the State of Kerala. The fundamental rights enshrined in articles 25 and 26 are being violated. The devotees of Sabarimala Sreedharma Sastha Temple are demanding for protection of their rights entrusted under articles 25 and 26 of the Constitution. The change in tradition and custom without taking into confidence the special class devotees of Sabarimala Sreedharma Sastha is not as per the constitutional provision. It is necessary to enact legislation to protect the fundamental rights specified in articles 25 and 26 of the Constitution.

Hence this Bill.

NEW DELHI;
June 3, 2019.

N.K. PREMACHANDRAN

LOK SABHA

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(*Shri N.K. Premachandran, M.P.*)