

AS INTRODUCED IN THE RAJYA SABHA
ON 9TH DECEMBER, 2022

Bill No. LXXXVIII of 2022

THE SARVA DHARMA TEMPLE BILL, 2022

A

BILL

to provide for the erection and management of a temple of all religions under one roof to perpetuate the ideals of the Constitution of India which establishes India as a secular State and for the purpose of creating awareness, tolerance towards, and honour, respect, preservation, growth and spread of spiritual knowledge of all religions and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Sarva Dharma Temple Act, 2022.

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.

Definitions.	<p>2. In this Act, unless the context otherwise requires:—</p> <p>(a) “Temple” means the Sarva Dharma Temple established under section 3;</p> <p>(b) “Trust” means the Sarva Dharma Temple Trust established under section 4; and</p> <p>(c) “Trustees” means the Trustees of the Sarva Dhama Temple as specified in section 6.</p>	5
Establishment of the Sarva Dharma Temple.	<p>3. (a) There shall be established a temple to be known as the Sarva Dharma Temple with such structure as specified in the Schedule.</p> <p>(b) The location of the Temple shall be on the banks of the river Hooghly in the city of Kolkata, State of West Bengal.</p>	10
Establishment of Sarva Dharma Temple Trust.	<p>4. There shall be a Trust, namely, the Sarva Dharma Temple Trust to be established under the Indian Trust Act, 1882 for the purpose of erection and management of the Temple.</p>	2 of 1882
Objects of the Trust.	<p>5. The objects of the Trust shall be:—</p> <p>(a) to erect and maintain suitable buildings, structures and parks on the banks of the river Hooghly in the city of Kolkata, State of West Bengal;</p> <p>(b) to acquire lands, buildings and other properties for the purposes of the Trust; and</p> <p>(c) to raise and receive funds for the purposes of the temple.</p>	15
Composition of the Trustees of the Temple.	<p>6. (1) The Trustees of the Temple shall be the following, namely:—</p> <p>(a) the Prime Minister—Chairperson;</p> <p>(b) the Union Minister in-charge of Culture;</p> <p>(c) the Leader of Opposition recognized as such in the House of the People or where there is no such Leader of Opposition, the Leader of the single largest opposition party in that House;</p> <p>(d) the Governor of the State of West Bengal;</p> <p>(e) the Chief Minister of the State of West Bengal; and</p> <p>(f) three eminent persons to be nominated by the Central Government.</p> <p>(2) The trustees shall be a body corporate with perpetual succession by the name of the “Trustees of the Sarva Dharma Temple” and a common seal, and in that name shall sue and be sued, and shall have power to acquire and hold property, to enter into contracts and to do all acts necessary for, and consistent with, the purposes of this Act.</p>	20
Term of office of nominated Trustees.	<p>7. The Trustees nominated under clause (f) of sub-section (1) of section 4 shall be Trustees for a period of five years, and shall be eligible for re-nomination.</p>	25
Property vested in Trustees.	<p>8. All the funds and property, whether movable or immovable, which may hereafter be given, bequeathed or otherwise transferred for the purposes of the Temple or acquired for the said purposes shall vest in the Trustees.</p> <p>9. The Central Government may, after due appropriation made by Parliament by law in this behalf, provide grants to the Trust of such sums of money as the Central Government may think fit, for the purposes of this Act.</p>	35
Power of Trustees to appoint committee of management.	<p>10. (1) For the purposes of managing the affairs of the Trust, the Trustees may by passing a resolution at a meeting, appoint a committee of management, and entrust to it such powers, duties and functions, under such directions and limitations, as may be defined by such resolution.</p>	40

(2) The Trustees may appoint any person as members of the committee of management, whether such person are Trustees or not, and may, from time to time, vary or rescind any resolution passed by it under this section.

5 **11.** The Trust shall meet at least once in a year to approve the audited accounts of the Trust and shall transact such other business as may be considered necessary. Power to approve audited account.

12. No act of the Trustees shall be deemed to be invalid merely by reason any vacancy in, or any defect in the constitution of, the body of Trustees. Validity of acts of Trustees not to be questioned by reason of vacancy, etc.

10 **13.** (1) The accounts of the Trust shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Trust to the Comptroller and Auditor-General. Accounts and audit.

(2) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Trust under This Act, shall, have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Trust.

20 (3) The account of the Trust as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Trust and the Central Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of Parliament.

14. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the objects of this Act. Power to make rules.

25 (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for:—

(a) the manner in which funds belonging to the Temple shall be kept deposited or invested;

(b) the mode of authentication of orders for payment of money by the Trustees;

30 (c) the form in which accounts shall be kept by the Trustees and the audit and publication of such accounts;

(d) the laying out, erection, improvement, maintenance and management of the Temple and the care and custody of the properties thereof;

35 (e) the condition under which the public shall have access to the Temple or particular parts thereof and the regulation of the conduct of persons entering the precincts of the Temple; and

(f) the preservation of, and the prevention of injury to or interference with, any property vested in the Trustees and the prevention of persons from trespassing into any particular part of the Temple.

40 (3) A rule made under this section may provide that a breach of any rule made under clauses (e) and (f) of sub-section (2) shall be punishable with fine which may extend to one hundred rupees.

Power of Trustees to make regulations.

15. The Trustees may make regulations consistent with this Act for all or any of the following purpose, namely:—

(a) the manner in which meetings of the Trustees shall be convened, the quorum for the transaction of any business threat and the procedure at such meetings;

(b) the manner in which a majority decision of the Trustees shall be obtained by circulation to the Trustees of the matter requiring decision; 5

(c) the term of office of members of the committee of management, their powers and duties, and the circumstances in which and the conditions subject to which such powers and duties may be exercised; and

(d) the appointment of such officers and servants as may be necessary for the purpose of the Trust, and their terms and conditions of service. 10

Rules and regulations to be laid before Parliament.

16. Every rule or regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation. 15 20

THE SCHEDULE

[See section 3(a)]

Structure of the Sarva Dharma Temple

1. The Temple shall be octagon-shaped, each of the eight symmetrical lines will have an entry to each of the religions in the following manner:—

- (i) Line one Hindu
- (ii) Line two Christian
- (iii) Line three Islam
- (iv) Line four Sikhism
- (v) Line five Buddhism
- (vi) Line six Judaism
- (vii) Line seven Zoroastrian
- (viii) Line eight Other Spiritual Philosophy.

2. The center of the octagon shaped temple building shall be an octagon shaped room depicting pure awareness, a space within space which is free from all beliefs which is just "is".

3. The Temple shall provide equal space to all religious beliefs, which shall house the spiritual aspects of that religion.

4. The Temple complex shall have a Library consisting of books of all religions.

5. The temple complex also shall have an auditorium to screen religious texts of all religions, in their specified allotted time.

6. Space shall be allotted to each religion to conduct short term courses in spiritual training.

7. The Temple shall hold annual religious functions among all religions to bring communal harmony and spread religious and spiritual awareness and respect towards all religion.

STATEMENT OF OBJECTS AND REASONS

The noble object and reason for the need of the Sarva Dharma Temple is enshrined in the Preamble of our great Constitution.

2. In the spirit of India being a secular State, it is proposed that there shall be the Sarva Dharma Temple or Temple of all Religions which shall house all religions under one roof.

3. By the erection of this unique Temple, the nation shall bring people from all religions under one platform which will help prevent misinformation about each other's religion and increase mutual respect.

4. The Temple to be erected on the banks of the river Hooghly or the holy Ganges in the city of Kolkata will bring all the more meaning as Bengal has given birth to great spiritual thinkers such as Chaitanya Mahaprabhu, Swami Vivekananda, Paramahansa Yogananda, Swami Pranavanandaji Maharaj founder of Bharat Sevashram Sangha. It is also Mother Teresa's *Karma Bhumi*, not to mention many great Muslims saints lived in this great city.

5. The growing false perception and fake propaganda news being circulated around the world against India being intolerable towards other religions, needs to be defeated. This temple is the need of the hour to clean India's secular image. The need is, therefore, to recognize India's great spiritual culture and heritage and its age old tradition of acceptability of all religious beliefs.

6. The Temple will bring forth the fact that India upholds and cherishes its secular status dearly and will permanently stop false propaganda by foreign forces against India's great secular status which is our pride.

Hence, this Bill.

SHANTA CHHETRI.

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for the Sarva Dharma Temple Trust to erect and maintain suitable buildings, structures and parks on the banks of the river Hooghly in the city of Kolkata, State of West Bengal; to acquire lands, buildings and other properties for the purposes of the Trust; and to raise and receive funds for the purposes of the Temple. Clause 9 provides for making grants to the Trust by the Central Government after the appropriation by Parliament by law for the purpose of the Act.

2. The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, it is difficult to estimate the amount required for the purpose as it would depend upon the decisions of the Trust.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 15 empowers the Trustee to make regulations to carry out defined objectives. The rules and regulations will relate to matters of details only, and as such, the delegation of legislative power is of a normal character.

RAJYA SABHA

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BILL

to provide for the erection and management of a temple of all religions under one roof to perpetuate the ideals of the Constitution of India which establishes India as a secular State and for the purpose of creating awareness, tolerance towards, and honour, respect, preservation, growth and spread of spiritual knowledge of all religions and for matters connected therewith or incidental thereto.

(Shrimati Shanta Chhetri, M.P.)