

THE U. P. TEMPLE ENTRY (DECLARATION OF RIGHT)

ACT, 1956¹

[U.P. Act no. XXXIII of 1956]

[*Authoritative English text of the Uttar Pradesh Mandir Pravesha
(Adhikar Ghoshana) Adhiniyam, 1956*]

[Passed in Hindi by the Uttar Pradesh Legislative Assembly
on August 3, 1956, and by the Uttar Pradesh Legislative Council on
August 10, 1956.]

Received the assent of the President on October 1, 1956,
under Article 201 of the Constitution of India and was published in
Uttar Pradesh Gazette (*Extraordinary*) dated October 4, 1956.]

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ACT

*for the declaration of the right of all classes and section of
Hindus to enter Hindu temples in the State of Uttar Pradesh and
offer worship therein and for certain connected matters.*

WHEREAS "Untouchability" was abolished by the Constitution
and its practice in any form is forbidden;

AND WHEREAS for settling doubts as to the right of persons of
the depressed classes regarding temple entry it is necessary to
declare by law the removal of all disabilities in that behalf on any or
all classes of Hindus;

It IS HEREBY enacted in the seventh Year of the Republic of
India as follows:-

Short title
extent and
Commencement

1. (1) This Act may be called the Uttar Pradesh Temple Entry
(Declaration of Right) Act, 1956.

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

(3) It shall come into force at once.

Definitions

2. In this Act, unless there is anything repugnant in the subject or
context-

(a) "Depressed class" means any caste or class of the Hindu
community which by reason of any custom, usage or practice, is
excluded from entering a temple or from offering worship therein.

(b) "Hindu" shall include all persons professing the
Buddhist, Sikh or Jain religion or persons professing the Hindu
religion in any of its forms or developments including
Virsaiva, Lingayats, Adivasis, followers of Brahmo, Prarthana,
Arya Samaj and the Swami Narayan Sampraday.

1. For Statement of Objects and Reasons, please see U.P. Gazette (*Extraordinary*) dated July 24, 1956.

(c) "Temple" means a place by whatever name known, which is dedicated to the benefit of, or use as of right by, the Hindu community or any denomination thereof as a place of religious worship and includes subsidiary shrines, *maths*, *devasthanas*, *shivalas*, *mandapams* and all lands appurtenant to such temple.

(d) "Worship" means such religious service as the bulk of the worshippers offers or may offer or participate in, in a temple and includes-

(i) bathing in and the use of the waters of any sacred tank, well, spring or watercourse appurtenant to the temple whether situated within or outside the precincts thereof;

(ii) the passing over any sacred place, including a hill or hillock or a road, street or pathway which is requisite for obtaining access to the temple.

Declaration of right to offer worship in temple

3. Despite the abolition of "Untouchability" by Article 17 of the Constitution, doubts have sometimes continued to be expressed as to the right of certain section of Hindus to offer and participate in the worship in a Hindu temple, it is, therefore, hereby declared that,-

(a) notwithstanding anything in any law, custom, usage or practice to the contrary every Hindu irrespective of the caste or sect to which he belongs shall be entitled to enter any Hindu temple and offer and participate in worship therein in the same manner and to the same extent as Hindus in general or any section of Hindus;

(b) every custom, usage and practice which directly or indirectly imposes any disability on or otherwise prevents any person of the depressed classes to enter or offer or participate in any worship in a Hindu temple on the ground of "Untouchability" shall and be always deemed to be void and inoperative.

Courts not to recognize untouchability

4. No court or other authority shall in any suit or proceedings, whether pending at the commencement of this Act or instituted subsequently take notice of or otherwise recognize any custom usage or practice as is referred in clause (b) of section 3, and subject to the provisions of section 6, every such suit or proceeding shall be decided as if the custom, usage or practice had not been in existence at any material date.

Worship in temples not to be actionable

5. No person, being Hindu, who enters a Hindu temple or offers or participates in worship in any such temple shall by reason only of such entry, worship or participation be deemed to have committed any actionable wrong or offence or be sued or prosecuted therefor.

**Bar to suits
and
proceedings
Contray to
rights
declared by
the Act**

6. (1) No Civil Court shall entertain or continue any suit or proceeding or shall pass any decree or order or execute wholly or partially any decree or order, if the claim involved in such suit or proceeding or if the passing of such decree or order or if such execution would in any way be contrary to the rights herein by this Act declared.

(2) Without prejudice to the generality of the provisions of sub-section (1) every suit pending at the commencement of this Act, whether in the court of the first instance, appeal or revision, for damages, injunction or declaration or for any other relief on the ground that entry or worship or participation, in worship by a person of the depressed classes in a Hindu temple is against any law, custom usage or practice or for the exclusion of such classes from such entry, worship or participation, shall be and is hereby abated and every injunction, whether in any interlocutory proceeding or otherwise issued or granted in any such suit or proceeding shall likewise be and is hereby discharged any provision in the Code of Civil Procedure, 1908, notwithstanding.

**Effect of
provisions
incosistent
with other
enactments
Power to
make rules**

7. The provisions of this Act shall have effect notwithstanding naything inconsistent therewith contained in any other law for the time being in force.

8. The State Government may make rules for the carrying out of the purposes of this Act.
