

[Type here]



Hindu Forum Britain

Vascroft Estate 861,
Coronation Road
Park Royal, London
NW10 7PT
www.hfb.org.uk
@hfbritain

8th November 2025

bcnfm@lawcommission.gov.uk

andrew.bazeley@lawcommission.gov.uk

Namaste

HINDU FORUM OF BRITAIN RESPONSE TO LAW COMMISSION CONSULTATION ON BURIAL AND CREMATION

HINDU FORUM OF BRITAIN is the largest umbrella body for British Hindus with more than 300 member organisations from around the country. HFB is the first port of call from the central government and the most reported Hindu organisation in the British media.

- YOUR NAME: **Er. Trupti Patel**
- NAME OF ORGANISATION: **Hindu Forum of Britain**
- RESPONDING ON BEHALF of ORGANISATION
- EMAIL ADDRESS: **president@hfb.org.uk**

Chapter 11: The cremation process

Consultation Question 43

We invite consultees' views as to whether any new legal requirements at crematoria or burial grounds could help to address the problem of mistaken cremations or burials, and if so, what those requirements could be.

Mistaken cremations although rare are distressing, therefore identity checks must be mandatory. On the day of the cremation, Hindu pre-cremation rituals and prayers requires the coffin to be opened for the relatives to perform the Vedic rites on the body of the deceased. The deceased is seen by the relatives so risk of mistaken cremations is negligible.

During COVID pandemic the coffin could not be opened for rituals. Hindu Forum of Britain believes legal requirement for verification of the deceased, comprehensive record keeping and appropriate legal safeguards are necessary and must be adhered to all stages and specially digital requirements.

The law reform to address this distress must be proportionate.

Consultation Question 44

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●

President : **Er. Trupti Patel** : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

Hon Treasurer : Mr Devshi Chothani ; Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256
HFBCarty -1171005

[Type here]

We invite evidence from consultees as to whether, in relation to direct cremation, there are cases where the applicant for cremation will not know which crematorium will be used at the time of application. If there are, we invite consultees' views on whether the cremation forms should be amended to accommodate this practice

Wishes of the deceased relative are respected in Hindu families. Funeral arrangements and convenient crematorium slot is organized by a close relative. The cremation form however needs to be amended to inform applicant of the crematorium to be used especially in the cases of direct cremations. Although major cities may have well equipped crematoriums to cater needs of the Hindus, crematoria in Rural areas should have same facilities like prayer areas, washing and books .

Consultation Question 45

We invite consultees' views on the position in the current law that the rules which govern who can apply for cremation, and collect the ashes, are different from the rules which govern who has the legal right to make decisions about dead bodies. We invite consultees to tell us of their experience of the current law and of any problems that they have encountered as a result.

Ashes are collected by a family member who may also be the next of kin/executor. The rules governing who collects the ashes and the rules which govern who has the legal right to make decisions about dead bodies needs to be streamlined and clearly explained by the Funeral Director at the onset of the process.

We invite consultees' views as to whether the current law strikes the right balance between certainty as to who can apply and receive the ashes, and flexibility in ensuring that a timely funeral happens

A series of post death Hindu rituals can only be concluded after the cremation has taken place. The Timely cremation is therefore is a must. The Hindu Vedic texts place emphasis on cremation within 24 hours of certification of death. The grieving Hindu families are often subjected to unnecessary delays because of lack of understanding of the religious need to expedite the cremation. This means there is lengthy delay from time of declaration of death to the cremation. The fragmented death management service is obviously not able to cope with the need of the nation.

Consultation Question 46

We invite consultees' views on which relationships between two deceased people should mean the law permits their bodies to be cremated together, provided both applicants for cremation give their written consent.

It is believed in the Hindu faith that each individual has to follow their own after -life journey according to their karma. For this reason, multiple body cremations must not take place no matter how close the relationship may be. The acceptable norm is separate cremations and separate ashes containers.

Consultation Question 47

We provisionally propose that it should be a requirement that ashes from a cremation should be removed from the cremator before another cremation occurs. Do consultees agree?

Answer : **YES**

Commingling of ashes from the previous cremation must not happen. This must be enshrined in law. Relatives must be assured that there has been NO comingling of ashes. AT the crematoria, ashes from each cremation should be removed prior to any further cremation taking place and each collection must be correctly labelled with the name and date of birth of the deceased.

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●
President : **Er. Trupti Patel** : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

Hon Treasurer : Mr Devshi Chothani ;Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256
HFBCarty -1171005

[Type here]

Consultation Question 48

We provisionally propose that: (1) neither cremation nor any other irreversible funerary method should be permitted in relation to unidentified bodies or body parts; and (2) before any unidentified bodies or body parts are buried, a DNA sample should be taken for storage on the national central database held by the UK Missing Persons Unit.

Do consultees agree?

Answer : **YES**

DNA samples must be taken for safe keeping on the National Database Storage in cases where body parts are cremated. This must be a stringent legal requirement.

Consultation Question 49

We provisionally propose that the Department for Health and Social Care should issue new guidance transferring ownership of any pacemakers in relation to which the HN(83)6 consent forms were signed from the NHS to funeral directors.

We provisionally propose that, where any funeral director holds a pacemaker which was removed prior to the new guidance being issued, and where they hold a record linking the pacemaker to a specific deceased person: (1) they must post a notice stating that they hold pacemakers removed from bodies of deceased people prior to cremation, and the date range within which they were removed, and that they intend to dispose of them if they are not claimed. The notice should be placed on their website and visibly at their offices; (2) in order to claim a pacemaker a person should have to provide the funeral director with evidence that they are the deceased person's relative, using the definition used in LACO 1977, or that they were their cohabitant until they died; and (3) three months after the notice is posted, if the pacemakers are not claimed, the funeral director may dispose of them as they see fit.

Do consultees agree?

Answer : **YES**

Hindu Forum of Britain is clear that The Department for Health and Social Care should issue new guidance regarding transferring ownership of any pacemakers in relation to which the HN(83)6 consent forms are signed from the NHS to funeral director. Environmental protection is central to Hindu belief therefore proposals that endeavor to reduce environmental hazards must be adhered to. Patients or their guardians must be made aware at the earliest stage of insertion of PM about the after life requirements .

We provisionally propose that, in circumstances where funeral directors hold a pacemaker but do not hold a record linking it with a specific deceased person, they should be able to dispose of the pacemakers as they see fit without issuing a notice. Do consultees agree?

Answer : **YES**

Where a Pacemaker device cannot be linked with a specific deceased person, the Funeral Director should be able to dispose of the device responsibly.

Chapter 12: Where cremations can happen

Consultation Question 50

We invite consultees' views on whether the rule that a crematorium cannot be constructed within 200 yards of a dwelling house without the agreement of the owner, occupier and lessee, or within 50 yards of a public highway, should be repealed, or retained.

If the rule is retained, we invite consultees' views on whether the distance should be measured from the buildings equipped for cremation, and any other buildings or structures ancillary to the process, or from another location.

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●

President : Er. Trupti Patel : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

Hon Treasurer : Mr Devshi Chothani ;Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256
HFBCarty -1171005

[Type here]

If the rule is retained, we provisionally propose that the Secretary of State should have to certify a crematorium before it can be used. It should be a requirement for certification to be granted that the plans for the crematorium must have been approved before construction as not breaching the rule.

Do consultees agree?

ANSWER: Yes

Reasonable consideration must be given to Hindu community needs. Planning inspectorate must grant planning permission for future purpose -built crematoria with a ceremony hall, ritual rooms, shower facility, dining facility. Whilst sentiments of local residents are important, the needs of the Hindu community must be accommodated. The building of a OM crematorium at Anoopam Mission , has been through rigorous planning process with minute scrutiny of every aspect of the project ¹. Five decades of campaigning will cater to the faith-based needs of the Hindu community. We recommend similar facilities in other areas and specially in rural areas.

Consultation Question 51

We provisionally propose removing the restriction on constructing a crematorium on the consecrated part of a local authority burial ground.

Do consultees agree?

Answer : YES

Hindu, Sikh and Jain faith believe in spiritual afterlife and returning of the physical dead body to the elements. Open pyre ensures that the body returns to the five basic elements (panchamahabhuta) from which it originated: earth, water, fire, air, and space. Hindus in the UK understand that a section of the community would be upset and offended by open-pyre additionally, in the UK using land for open pyre cremations on any scale would likely constitute a change of use, requiring planning permission and may lead to local opposition.

Location of crematoria near designated sites for ashes scattering needs to be considered. Performing rituals without delays is necessary. Environmental agencies guidelines are followed by Hindus when it comes to scattering ashes in designated rivers or costal areas and at sites deemed suitable by local authorities.

Chapter 13: The treatment of ashes after collection from crematoria

Consultation Question 52

We provisionally propose that, where a funeral director has held ashes for at least four weeks and wishes to return them to the cremation authority: (1) the funeral director must take reasonable steps to contact the applicant for cremation to determine whether they want to collect the ashes, or want the funeral director to return the ashes to the crematorium; (2) if no response is received within four weeks, the funeral director should have the right to return the ashes to the crematorium where the cremation took place; (3) the cremation authority should have a statutory duty to accept the return of the ashes to them by the funeral director; and (4) where ashes have been returned to the crematorium, the existing process for dealing with uncollected ashes should apply.

Do consultees agree?

Answer : YES

Collection of ashes is agreed between the funeral director and the executor / close relative of the deceased. In circumstances where the ashes are not collected by the family and the ashes are returned to the crematoria, the local Hindu temples/Hindu priest can advise on appropriate religious observance when scattering uncollected ashes. Every attempt however must be made to contact the family/next of kin/ executor .

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●

President : Er. Trupti Patel : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

Hon Treasurer : Mr Devshi Chothani ;Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256

HFBCarty -1171005

[Type here]

Consultation Question 53

Are consultees aware of legal mechanisms that have been used to try to prevent ash scattering, and if so, do consultees know whether these measures have been effective?

Scattering ashes in flowing water such as rivers or coastal areas is the final rite for Hindus and is a concluding spiritual ceremony signifying the cessation of physical being and returning to natural element for onward reincarnation. Often grieving families have to make extensive travel arrangements to scatter ashes because of lack of facilities locally. Environment Agency guidance states that there is “no evidence to suggest that the disposal of human ashes in rivers or streams has a negative impact on the environment”² therefore more sites must be made available for scattering of ashes.

Chapter 14: The impact of our provisional proposals

Consultation Question 55

1 We invite consultees’ views on: (1) whether there are circumstances or places in England and Wales where it is difficult for people to find a burial space in locations of their choice; (2) whether our provisional proposals in this Consultation Paper would help to address the availability of burial space; (3) what impact our provisional proposals in this Consultation Paper might have on reducing distress to family and friends of deceased people; and (4) whether more comprehensive or frequent collection of data on burial grounds would be of practical value.

If a Hindu child under 2yrs of age has died the family may consider burial. Dedicated Hindu burial site must be considered in legislative proposals so that bereaved Hindu families can bury and Hindu Dharmic rites can be performed in a respectful dignified manner for the deceased child.

Hindus scatter and do not bury ashes.

Consultation Question 56

We invite evidence from consultees on: (1) their general perception of the affordability of burial and cremation; (2) the contribution that burial costs and burial plot fees make to the costs that families and friends bear when organising a funeral; and (3) the impact that our proposed reforms might have on reducing or increasing these costs.

Funeral costs can be distressing and lead to hardship. The option of pre-planning and pre-paying for funerals needs to be regulated rigorously. Funeral plan scams dangers must be explained to the wider public.

Consultation Question 57

We invite evidence from consultees on: (1) the costs and benefits private burial grounds are likely to see as a result of our provisional proposals; (2) the costs and benefits funeral directors are likely to see as a result of our provisional proposals; and (3) any benefits or costs that are likely to arise if the rules on the siting of crematoria were repealed.

More people prefer cremation compared to burial³ so it is necessary to have more crematoria built. Much like the planned OM Crematorium at Anoopam Mission, new crematoria and crematoria already in service need to provide a dedicated Hall at the crematoria where a family that cannot accommodate funeral ceremony at home can perform significant spiritual ceremony for the deceased. Funeral Directors will need to be cost effective in both urban and rural areas including providing advice on pre-purchased plans and in unfortunate event of demise overseas .

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●

President : Er. Trupti Patel : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

Hon Treasurer : Mr Devshi Chothani ;Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256
HFBCarty -1171005

[Type here]

Consultation Question 58

We invite evidence from consultees on: (1) the scale of any benefits that are likely to accrue to local authorities if they obtain grave reuse and reclamation powers; (2) the likely additional cost of maintaining Church of England churchyards if they are reopened, and the level of fees that would be required in order to mitigate that cost; (3) the cost to Welsh local authorities if maintenance responsibility for Church in Wales churchyards could be transferred under the law; and (4) any impact on local authorities that might arise from repealing the rule on the siting of crematoria.

Faith communities must be consulted about any proposals.

Consultation Question 59

We invite consultees' views on the potential impact of our provisional proposals on costs to Government, and other operators and owners of burial grounds and crematoria.

Most of the proposals would benefit both Government and operators to ensure that burial grounds are properly regulated and that those that do not currently have to abide by some of the regulations are bought more in line.

Please use this space to tell us anything you wish us to know which is not addressed elsewhere in this consultation

Hindu, Sikh, Jain communities faced disproportionate hardship during COVID pandemic as the Dharmic cultural traditions were not well understood when policy and service priorities were set. Sentiments of the Hindu communities has not been treated sympathetically by government of the day. This must be addressed and steering groups must be set up to better facilitate for the Dharmic spiritual needs of Hindus .

In 2019 a review was carried out by the Ministry of Housing, Communities and Local Government on Crematoria Provision and Facilities but there has not been much progress to address concerns of the Hindu, Sikh, Jain community ⁴ . Hindu Forum of Britain (HFB) submitted evidence ⁵ to the Government regarding Coroners Service in England and Wales based on collective concerns and experience of HFB's member organisations who have expressed worries about the Coroner Service in England and Wales particularly in relation to expediting decision-making and early release of body of the deceased. The concern the Hindu, Jain Sikh community has regarding unnecessary delays in release of the body of the loved one to the family is well founded. According to Hindu customs, the body must be cremated within 24hours. We recognize the necessity for verifications but prolonged delays cause unnecessary agony to the bereaved family especially as the family recognizes the need to complete all religious rituals within a 13day period. These practices are significant and show respect for the deceased and help the soul's onward journey.

Briefings were published by The House of Commons on Reforms to the Coroner's service in England and Wales stating a series of recommendations, many of which remain on paper only ⁶.

There is a clear need to develop a dialogue between Hindu community , undertakers, funeral directors, Hindu priests and crematoria.

The HFB stands ready to cooperate in shaping future framework governing siting of crematoria;

- a) suggesting sites for dispersal of ashes,
- b) formulating guidelines for crematoria staff,
- c) addressing coroners service issues,

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●

President : Er. Trupti Patel : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

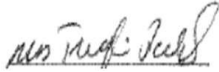
Hon Treasurer : Mr Devshi Chothani ;Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256
HFBCarty -1171005

[Type here]

d) creating documentation regarding Hindu Final Rites.

**We will as a community assist in building, adopting and communicating policy guidelines for the whole community. Stakeholder engagement is vital.
We trust that the recommendations outlined will be given due consideration.**

Er. Trupti Patel



Er. Trupti Patel FCIHT, MSc. H & T, BEng CE, Visharad Bharatnatyam & Yog
President Hindu Forum of Britain & Trustee of the HFB Charity

The Hindu Forum of Britain is the largest umbrella body with a broad-based membership of over **320 HINDU** organizations from different regions and cultural backgrounds in Britain with their membership ranging from **300 to 30,000**. At the core of the Forum's activities is a strong belief in the richness and diversity of the Hindu culture, its value system that encompasses respect for all beings and faiths, and a cultural heritage that facilitates community cohesion and coexistence.

REFERENCES

1. <https://www.thisislocalondon.co.uk/young-reporter/23161564.anoopam-mission-will-build-uks-first-ever-hindu-crematorium--yashashvi-mehta/>
2. <https://www.scatterng-ashes.co.uk/wp-content/uploads/2010/03/GEHO0306BKIK-e-e.pdf>
3. <https://www.bbc.co.uk/news/uk-37105212>
4. https://assets.publishing.service.gov.uk/media/5cab4ab6ed915d564cc9e005/Crematoria_Review_-_government_response.pdf
5. <https://committees.parliament.uk/writtenevidence/10630/pdf/>
6. <https://researchbriefings.files.parliament.uk/documents/CBP-9328/CBP-9328.pdf>

Patrons Council: Chair: Mr Shashi Vekaria ● Lord Navnit Dholakia ◊ Mr Rickie Sehgal ●

Mr Joginder sanger ◊ Mr CB Pater ● Prof. Nat Puri ●

President : Er. Trupti Patel : Vice Presidents : Mrs Harsha Shukla, MBE, Mr Jas S Sharma,
Ms Naina Penmen (Scotland)

Hon Treasurer : Mr Devshi Chothani ; Company Director Mr Mitesh Vekaria
Registered in England and Wales - Company No. 5106256
HFBCarty -1171005