

Haryana's anti-conversion law

February 10, 2022

In news— Recently, the Haryana cabinet has approved the draft for the Haryana Prevention of Unlawful Conversion of Religion Bill, 2022.

In news— Recently, the Haryana cabinet has approved the draft for the Haryana Prevention of Unlawful Conversion of Religion Bill, 2022.

Key features of the draft bill-

- It seeks **to prohibit religious conversions effected through misrepresentation, force, undue influence, coercion, allurement, marriage** or by any other fraudulent means making it an offense.
- It provides **greater punishment** for such conversions in case of minors, women, scheduled castes and tribes.
- It provides that the **burden of proof lies on the accused carrying out the conversion.**
- As per the draft bill, **every individual converting from one religion to another shall submit to the prescribed authority a declaration that the conversion affected through was not misrepresentation, use of force, under threat, undue influence, coercion,** allurement or by any fraudulent means or by marriage or for marriage and such authority shall make an inquiry in such cases.
- The proposed Bill will also have **a provision for declaring null and void any marriage** that is found to have been solemnized by concealment of religion.

List of other states with similar laws-

- **Karnataka, Arunachal Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Odisha, Uttar Pradesh and Uttarakhand have laws restricting religious conversion.**

- Penalties for breaching the laws can range from monetary fines to imprisonment, with punishments ranging from one to three years of imprisonment and fines from Rs. 5,000 to Rs. 50,000.
- Some of the laws provide for stiffer penalties if women, children, or members of Scheduled Castes or Scheduled Tribes (SC/ST) are being converted.
- Some other States, including Manipur, are reportedly “considering similar laws.”
- **Odisha was the first State to enact anti-conversion legislation**, the Orissa Freedom of Religion Act, 1967. Madhya Pradesh enacted the same the following year.

Constitutional provisions-

- The **right to freedom of religion is guaranteed under Articles 25, 26, 27 and 28** of the Constitution.
- The objective of this right is to sustain the principle of secularism.
- The Constitution confers on each individual the fundamental right to profess, practice and propagate his religion.

Similar initiatives at central level-

- **In post-Independent India, the first Indian Conversion (Regulation and Registration) Bill was introduced in 1954**, which sought to enforce “licensing of missionaries and the registration of conversion with government officials.” This bill was rejected.
- This was followed by the introduction of the **Backward Communities (Religious Protection) Bill in 1960**.
- The bill was aimed at checking conversion of Hindus to ‘non-Indian religions’ which, as per the definition in the Bill, included Islam, Christianity, Judaism and Zoroastrianism.
- The **Freedom of Religion Bill in 1979**, sought “official curbs on inter-religious conversion.”

- These bills fell through for want of majority approval.