

# Himachal Pradesh Law against forced conversion

December 22, 2020

In news

The Himachal Pradesh Freedom of Religion Act, 2019 comes into effect in Himachal Pradesh

## Key provisions of the act

- Himachal Pradesh Freedom of Religion Act, 2019 replaces a 2006 law that has been repealed by the assembly.
- **Stringent law:** It provides for more stringent law against conversion by force, inducement or through marriages solemnised for the “sole purpose” of adopting a new religion
- **Seven-year jail:** It has provision which punishes violators with seven years jail
  - If Dalits, women or minors were made to convert, the jail term will be between two-seven years.
  - But the old one Himachal Pradesh Freedom of Religion Act, 2006 provides for three year jail
- It prohibits conversion by misrepresentation, force, undue influence, coercion, inducement, marriage or any fraudulent means.
- As per the section 5 of the act declares any marriage for the sole purpose of conversion will be declared null and void
- **Notice to magistrate:** The act states that anyone seeking to convert will need to give a month’s notice to the district magistrate, stating that the person is converting on his/her own. The provision figured in the 2006 law as well and was challenged in court.
  - The priest who performs a conversion ceremony will also give a month’s notice in advance.

- Those reconvert to their “parent religion” are exempted from this provision.
- **Not to accept Donation:** according to section 10 of the Act no person or organisation violating the provisions will be allowed to accept any donation or contribution of any kind from within or outside the country.

### States with similar laws

#### **Uttar Pradesh:**

- Recently, the state of Uttar Pradesh has announced the Uttar Pradesh Prohibition of Unlawful Conversion of Religious Ordinance, 2020.
- prohibits conversion from one religion to another by “misrepresentation, force, fraud, undue influence, coercion, allurement or marriage”.
- The stated goal of the law is to check “unlawful religious conversion” and “interfaith marriages with the sole intention of changing a girl’s religion”.
- It criminalises conversions in violation of the provisions of the law and will punish the guilty with a jail term of up to 10 years.

# WE DON'T NEED NO CONVERSION

Only six states have laws barring use of force and fraud for religious conversion

**Rajasthan 2006**  
In 2006, the Assembly approved an anti-conversion bill but then governor Pratibha Patil declined to sign it. Another bill approved in 2008 is now pending with the President.

**Gujarat 2003**  
The first state to make prior permission of the district administration compulsory for legitimising religious conversion.

**Madhya Pradesh 1968**  
The first state to enact a law to regulate religious conversion. It was later amended in 2013, making prior permission compulsory and stipulating harsher jail terms for forcible conversion.

**Himachal Pradesh 2007**  
In 2011, Himachal Pradesh High Court struck down the provision of mandatory prior permission from the local administration.

**Arunachal Pradesh 1978**  
Enacted to prevent religious conversion of local tribes through inducement, yet to be implemented.

There have been proposals to enact anti-conversion laws in Jharkhand, Karnataka and Uttarakhand.

**Odisha 1969**  
The Odisha High Court declared the law unconstitutional; in 1971, the Supreme Court restored both the Odisha and Madhya Pradesh laws.

**Chhattisgarh 2000**  
Inherited from Madhya Pradesh, law amended in 2006 to make prior permission of the DM compulsory for conversion.

**Tamil Nadu 2002**  
The AIADMK government passed the law in 2002 but repealed it in 2006 following the party's drubbing in the 2004 Lok Sabha polls.

## Other states are:

- Madhya Pradesh: Dharma Swatantrya Adhiniyam in 1968
- Odisha: Odisha was the first state to enact anti-conversion legislation, the Orissa Freedom of Religion Act, 1967