

The Arunachal Pradesh Freedom Of Religion Act, 1978

ARUNACHAL PRADESH

India

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Act 04 of 1978

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The Arunachal Pradesh Freedom Of Religion Act, 1978[25th October, 1978]Act No. 4 of 1978AN ACT to provide for prohibition of conversion from one religious faith to any other religious faith by use of force or inducement or by fraudulent means and for matters connected therewith.Be it enacted by the Legislative Assembly of Arunachal Pradesh in the Twenty-ninth Year of the Republic of India as follows:-

1. Short, title, extent and commencement –

(1)This act may be called the Arunachal Pradesh Freedom of Religion Act, 1978.(2)It extends to the whole of the Union Territory of Arunachal Pradesh.(3)It shall come into force at once.

2. Definitions.

In this Act, unless the context otherwise requires,-(a)“Government” means the Government of the Union Territory of Arunachal Pradesh;(b)“Conversion” means renouncing one religious faith and adopting another religious faith, and “convert” shall be constructed accordingly;(c)“Indigenous faith” means such religions, beliefs and practices including rites, rituals, festivals. Observances, performances, abstinence, customs as have been found sanctioned, approved, performed by the indigenous communities of Arunachal Pradesh from the time these communities have been known and includes Buddhism as prevalent among the Monpas, Membas, Sherdukpens, Khambas, Khamptis and Singphos, Vaishnavism as practiced by Noctes, Akas and Nature worships, including worships of Donyi-Polo, as prevalent among other indigenous communities of Arunachal Pradesh;(d)“force” shall include show of force or a threat of injury any kind including threat of divine displeasure or social ex-communication;(e)“fraud” shall include the misrepresentation or any other fraudulent contrivance;(f)“inducement” shall include the offer of any gift or gratification,

either in cash or in kind and shall also include the grant of any benefit, either pecuniary or otherwise;(g)“prescribed” means prescribed under the rules;(h)“religious faith” includes any indigenous faith.

3. Prohibition of forcible conversion

No person shall convert or attempt to convert, either directly or otherwise, any person from one religious faith by the use of force or by inducement or by any fraudulent means nor shall any persons abet any such conversion.

4. Punishment for contravention of the provision of Section 3

Any person contravening the provisions contained in section 3, shall without prejudice to any civil liability, be punishable with imprisonment to the extent of two years and fine up to ten thousand rupees.

5. Intimation of conversion to the Deputy Commissioner and punishment

(1)Whoever converts any person from one religious faith to any other religious faith either by performing himself the ceremony necessary for such conversion as a religious priest or by taking part directly or indirectly in such ceremony shall, within such period after the ceremony as may be prescribed, send an intimation to the Deputy Commissioner of the District to which the person converted belongs, of the fact of such conversion in such form as may be prescribed.(2)If any person fails without sufficient cause to comply with the provisions contained in sub-section (1) he shall be punished with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both.

6. Offence cognizable

An offence under this Act shall be cognizable and shall not be investigated by an officer below the rank of an Inspector of Police.

7. Sanction for prosecution

No prosecution for an offence under this Act shall be instituted except by or with the previous sanction of the Deputy Commissioner or such other authority, not below the rank of an Extra Assistant Commissioner as may be authorized by him in this behalf.

8. Power to make rules.

The Government may make rules for the purpose of carrying out the provisions of this Act.