

# Jharkhand Freedom of Religion Act, 2017

JHARKHAND

India

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### Act 17 of 2017

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Jharkhand Freedom of Religion Act, 2017(Jharkhand Act No. 17 of 2017)[Published in Jharkhand Gazette (Extraordinary) No. 657, dated 11.9.2017]A Act to provide for prohibition of conversion from one religion to another by the use of force or allurement or by fraudulent means and for matters incidental thereto.Be it enacted by the Jharkhand Legislature in the Sixty Eight year of the Republic of India as follows:

### 1. Short title, extent and commencement.

(1)This Act may be called the Jharkhand Freedom of Religion Act, 2017(2)It shall extent to the whole of the State of Jharkhand.(3)It shall come into force from the date of its issuance.

### 2. Definitions.

- In this Act unless the context otherwise requires;(a)"allurement" means offer of any temptation in the form of(i)any gift or gratification either in cash or kind;(ii)grant of any material benefit, either monetary or otherwise;(b)"Conversion" means renouncing one religion and adopting another;(c)"Convert" means to make one person to renounce one religion and adopt another religion;(d)"Force" shall include a show of force or threat of injury of any kind including threat of divine displeasure or social ex-communication.(e)"Fraud" shall include misrepresentation or any other fraudulent contrivance;(f)"Indigenous faith" means such religions, belief and practices including rites, rituals, festivals. Observance, performances, abstinence, customs as have been found sanctioned, approved, performed by the Scheduled Tribe communities of Jharkhand from the time these communities have been known.(g)"minor" means a person under eighteen years of age.(h)"religious faith" means faith related to religion, which also includes indigenous faith.

### **3. Prohibition of forcible conversion.**

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

### **4. Punishment for contravention of the provision of Section 3.**

- Any person contravening the provision contained in Section 3 shall, without prejudice to any civil liability be punishable with imprisonment which may extend to three years or with fine which may extend to fifty thousand rupees or with both; Provided that in case the offence is committed in respect of a minor, a woman or a person belonging to the Schedules Castes or Scheduled Tribes, the punishment shall be imprisonment to the extent of four years and fine up to one hundred thousand rupees (one lakh rupees);

### **5. Prior permission for conversion.**

(1) Whoever converts any person from one religion/religious faith to another, either by performing any ceremony by himself for such conversion as a religious priest or takes part directly or indirectly in such ceremony shall take prior permission for such proposed conversion from the District Magistrate concerned by applying in such form as may be prescribed by rules. (2) The person who is converted shall send intimation to the District Magistrate of the District concerned in which the ceremony has taken place of the fact of such conversion within such period and in such form as may be prescribed by rules. (3) Whoever fails without sufficient cause, to comply with the provisions of subsection (1) and (2) shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to rupees five thousand or with both.

### **6. Offence to be cognizable.**

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

### **7. Prosecution Sanction.**

- No prosecution for an offence under this Act shall be instituted except by, or with the previous sanction of the District Magistrate or such other Authority, not below the rank of a Sub-Divisional Officer, as may be authorized by him in that behalf.

### **8. Power to make rules.**

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