

Rajasthan Freedom of Religion Bill, 2006

Act 12 of 2006

A Bill to provide for the 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 Rajasthan State Legislature in the Fifty-seventh year of the Republic of India, as follows:

1. Short title, extent and commencement

- (1) This Act may be called the Rajasthan Dharma Swatantraya Act, 2006.
- (2) It extends to the whole of the State of Rajasthan.
- (3) It shall come into force at once.

2. Definitions

In this Act, unless the context otherwise requires,

- (a) "Unlawful" means which is in contravention of the provision of this Act;
- (b) "Allurement" means offer of any temptation in the form of:
 - (1) any gift or gratification, either in cash or kind;
 - (2) grant of any material benefit, either monetary or otherwise;
- (c) "Conversion" means renouncing one's own religion and adopting another;
(Explanation: Own religion means [the] religion of one's forefathers);
- (d) "Force" includes a show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication;
- (e) "Fraudulent" means and includes misrepresentation or any other fraudulent contrivance.

3. Prohibition of conversion

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

4. Punishment for contravention of provisions of Section 3

Whoever contravenes the provisions of Section 3 shall, without prejudice to any other civil or criminal liability, be punished with simple imprisonment for a term which shall not be less than two years but which may extend to fifty thousand rupees.

5. Offence to be cognizable and non-bailable

Any offence under this Act shall be cognizable and non-bailable and shall not be investigated by an officer below the rank of Deputy Superintendent of Police.

6. Power to make rules

- (1) The State Government may make rules for the purpose of carrying out the provisions of this Act.
- (2) All rules made under this Act shall be laid, as soon as may be, after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such rules or resolves that any such rule should not be made, such rule shall, thereafter, have effect only in such modified form or be of no effect,

as the case may be so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done there under.

Statement of Objects and Reasons

It has been observed by the State Government that some religious and other institutions, bodies and individuals are found to be involved in unlawful conversion from one religion to another by allurements or by fraudulent means or forcibly which at times has caused annoyance in the community belonging to other religions. The inter-religion fabric is weakened by such illegal activities and causes law and order problem for the law enforcing machinery of the State.

In order to curb such illegal activities and to maintain harmony amongst persons of various religions it has been considered expedient to enact a special law for the purpose.

This bill seeks to achieve the aforesaid objectives.

Hence the bill.

Gulabchand Kataria
(Minister-in-Charge)