

## **Madhya Pradesh Freedom of Religion Act, 1968**

Act 27 of 1968

An 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 Madhya Pradesh Legislature in the Nineteenth year of the Republic of India as follows:

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

- (1) This Act may be called the Madhya Pradesh Dharma Swatantrya Adhiniyam [Madhya Pradesh Freedom of Religion Act], 1968.
- (2) It shall extend to the whole of the State of Madhya Pradesh.
- (3) It shall come into force at once.

### **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 momentary or otherwise;
- (b) 'Conversion' means renouncing one religion and adopting another;
- (c) 'Force' shall include a show of force or threat of injury of any kind including threat of divine displeasure or social ex-communication;
- (d) 'fraud' shall include misrepresentation or any other fraudulent contrivance;
- (e) 'minor' means a person under eighteen years of age.

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

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

### **4. Punishment for contravention of the provisions 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 one year or with fine which may extend to five 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 two years and fine up to ten thousand rupees.

### **5. Intimation to be given to District Magistrate with respect to conversion**

- (1) Whoever converts any person from one religious faith to another 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 District Magistrate of the district in which the ceremony has taken place of the fact of such conversion in such form as may be prescribed.
- (2) If any person fails with sufficient cause to comply with the provisions contained in sub-section (1), he shall be punishable with imprisonment which may extend to one year or with fine or with fine which may extend to one thousand rupees or with both.

**6. Offence to be 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. Prosecution to be made with the sanction of District Magistrate**

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 provision of this Act.