

# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a Separate  
Compilations.

### P A R T- V

**Bill introduced in the Gujarat Legislative Assembly.**

(To be translated into Gujarati and the translation to be published in the Gujarat Government  
Gazette. The date of publication to be reported)

The following Bill is published with the consent of the Speaker given under the provisio to  
the rule 127A of the Gujarat Legislative Assembly Rules:-

### **THE GUJARAT FREEDOM OF RELIGION BILL, 2003**

GUJARAT BILL NO. 24 OF 2003

#### *A BILL*

*To provide freedom of religion by prohibition of conversion from one religion to another by  
the use of force or allurement or by fraudulent means and for the matters incidental thereto.*

It is hereby enacted in the Fifty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Freedom of Religion Act, 2003.
- (2) It shall come into force on such date as the State Government may, by notification in  
the *Official Gazette*, appoint.

**24-2 GUJARAT GOVERNMENT GAZETTE., 12-3-2003 PART V**

**Definitions.** 2. 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) “convert” means to make one person to renounce one religion and adopt another religion;
  - (c) “force” includes a show of force or a threat of injury of any kind including threat of divine displeasures or social ex-communication;
  - (d) “fraudulent means” includes misrepresentation or any other fraudulent contrivance;
  - (e) “minor” means a person under eighteen years of age.

**Prohibition of Forcible Conversion.**

**3.** 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 any fraudulent means nor shall any person abet such conversion.

**Punishment for Contravention of Provisions of Section 3.**

**4.** Whoever contravenes the provision of section 3 shall, without prejudice to any civil liability, be punished with imprisonment for a term which may extend to three years and also be liable to fine, which may extend to rupees fifty thousand:

Provided that whoever contravenes the provisions of section 3 in respect of a minor, a woman or a person belonging to Scheduled Castes or Scheduled Tribe shall be punished with imprisonment for a term which may extend to four years and also be liable to fine which may extend to rupees one lakh.

**Prior permission To be taken from District Magistrate With respect to conversion such**

**5.** (1) Whoever converts any person from one religion to another wither 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

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 an 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.

## **STATEMENT OF OBJECTS AND REASONS**

Reports have been received by the Government that conversions from one religion to another are made by use of force or allurement or by fraudulent means. Bringing in a legislation to prohibit such conversions will act as deterrent against anti-social and vested interest groups exploiting the innocent people belonging to depressed classes and will enable people to practice their own religion freely. It will also be useful to maintain public order and to nip in the bud the attempts by certain subversive forces to create social tension. The Government has, therefore, decided to enact a law to prevent conversion of religion by use of force or allurement or by fraudulent means.

This Bill seeks to achieve the aforesaid object.

**AMIT SHAH**

## **MEMORANDUM REGARDING DELEGATED LEGISLATION**

The Bill involves delegation of legislative powers in the following respects:-

Clause 1.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the Official Gazette, the date on which the Act shall come into force.

Clause 5.- (i) Sub-Clause (1) of this clause empowers the State Government to prescribe by rules, the form in which prior permission under this sub-clause is required to be taken;

(ii) Sub-clause (2) of this clause empowers the State Government to prescribe by rules, the form and the time limit within which the person converted is required to give intimation under this sub-clause.

Clause 8.- Sub-clause (1) Sub-Clause (1) of this clause empowers the State Government to make rules for the purpose of carrying out the provisions of the Act.

The delegation of legislative powers as aforesaid is necessary and is of a normal character.

Dated the 11<sup>th</sup> March, 2003

**AMIT SHAH**

**By order in the name of the Governor of Gujarat,**

**V.M. KOTHARE**

**Secretary to the Government of Gujarat.**

**Legislative and Parliamentary Affairs Department**

**Gandhinagar,**

Dated the 12<sup>th</sup> March, 2003

**Government Central Press, Gandhinagar.**