Social Structure and Religious Conversion in Two Districts of Tamil Nadu – A Diagnostic Study

Interview Schedule

<table>
<thead>
<tr>
<th>Schedule No</th>
<th>Village</th>
<th>Panchayat</th>
<th>Block</th>
</tr>
</thead>
</table>

1. Socio-Economic Background

1.1 Name

1.2 Sex

<table>
<thead>
<tr>
<th></th>
<th>M</th>
<th>F</th>
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1.3 Age (in year)

<table>
<thead>
<tr>
<th></th>
<th>5-25</th>
<th>26-35</th>
<th>36-45</th>
<th>46-55</th>
<th>56 and above</th>
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1.4 Marital Status

<table>
<thead>
<tr>
<th></th>
<th>Single</th>
<th>Married</th>
<th>Widow</th>
<th>Divorced</th>
<th>Separated</th>
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</table>

1.5 Educational Status

<table>
<thead>
<tr>
<th></th>
<th>Primary</th>
<th>Secondary</th>
<th>College</th>
<th>Professional</th>
<th>Illiterate</th>
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</thead>
</table>

1.6 Religion at present

<table>
<thead>
<tr>
<th></th>
<th>Muslim</th>
<th>Christian</th>
</tr>
</thead>
</table>

1.7 Caste (Prior to Conversion):

1.8 Type of House

<table>
<thead>
<tr>
<th></th>
<th>Hut</th>
<th>Kutcha</th>
<th>Pucca</th>
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</table>

1.9 Ownership of House

<table>
<thead>
<tr>
<th></th>
<th>Own</th>
<th>Rented</th>
<th>Govt</th>
<th>Others</th>
</tr>
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</table>

1.10 Electrification

<table>
<thead>
<tr>
<th></th>
<th>Electrified</th>
<th>One hut one light</th>
<th>Not Electrified</th>
</tr>
</thead>
</table>

1.11 Occupation

<table>
<thead>
<tr>
<th></th>
<th>Agri</th>
<th>Business</th>
<th>Govt employed</th>
<th>others</th>
</tr>
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</table>
**1.12 Family Particulars**

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Relation to Head</th>
<th>Sex</th>
<th>Age</th>
<th>Marital Status</th>
<th>Education</th>
<th>Occupation</th>
<th>Income</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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</table>

**1.13 Land holdings (in acres)**

<table>
<thead>
<tr>
<th>S.No</th>
<th>Particulars</th>
<th>Dry Land</th>
<th>Garden Land</th>
<th>Wet Land</th>
<th>Uncultivable Land</th>
<th>Remarks</th>
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<tbody>
<tr>
<td>1</td>
<td>Own Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Others</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Total</td>
<td></td>
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</table>

**1.14 Family Annual Income**

<table>
<thead>
<tr>
<th>S.No</th>
<th>Sources</th>
<th>Income in (Rs)</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Agriculture</td>
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</tr>
<tr>
<td>2</td>
<td>Live stock</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Business</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Interest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
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</tbody>
</table>
1.15. Family Annual Expenditure

<table>
<thead>
<tr>
<th>S.No</th>
<th>Particulars</th>
<th>Amount in Rs (Annual)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Food</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Cloth</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Health / Medicines</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Rents (House/Land)</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Electricity</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Education</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Entertainments</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Social/ religious ceremonies</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Others</td>
<td></td>
</tr>
</tbody>
</table>

1.16. Liabilities

<table>
<thead>
<tr>
<th>SI.No</th>
<th>Sources</th>
<th>Loan Borrowed (in Rs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Commercial Banks</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Co-operative Society</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Money lenders</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Relatives</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Others</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>
2.1 Family

1. What is the structure of family?

2. Who is head in your family?
   (i) Father (ii) Mother (iii) others

3. How many earning members are available in your family?
   (i) 1-2 (ii) 2-4 (iii) 4 and above

4. How many are dependent?
   (i) 1-2 (ii) 2-3 (iii) 4 and above

5. How many members are migrated in your family?

6. State the reason for migration?

7. How many unemployed educated are available in your family?
   (i) 1-2 (ii) 2-3 (iii) 4 and above

8. Could you inform the nature of relationship in your family?
   (i) Cordial (ii) Strain (iii) Indifferent (v) No opinion

2.2 Caste

1. What is your caste occupation?

2. State the position of your caste in village?
   (i) High (ii) Middle (iii) Low

3. State the position of your caste in society?
   (i) High (ii) Middle (iii) Low

4. Do you accept your caste is low caste?
   Yes/No State reasons.
5. What is the educational status of caste members?
   (i) Illiterate (ii) Primary (iii) College (iv) Professional

6. State the political participation of your caste members?
   (i) Active (ii) Passive (iii) No participation

7. State your caste members' economic standards?
   Before and after conversion.

8. What is your caste’s economic standard when compared to other castes?

9. Do you participate in your village festivals/Ceremonies?
   Yes/No
   If No State the reasons,

10. What is your caste role in village festivals?
    (i) Significant (ii) Insignificant (iii) Nothing.

11. Are you regularly participating in decision making process in your village?

12. Whether your village had the experience of caste clash in the past?
    Yes/No

13. How many caste groups are living in your village? and state the nature of relationship.

   3 Religion

   1. How many generations you were in Hindu religion?
      (i) 1-3 (ii) 4-6 (iii) 7-9 (iv) 9 and above

   2. Do you face any inequality and discriminatory practices in original religion?
      Yes/No     If yes what form
3. Have you ever felt discriminated in converted religion?
   Yes/No   if yes what form
   (i)   (ii)   (iii)

4. Did your village preserve inter religious harmony?
   Yes/No Elaborate

5. How do you rate your religious identity?
   Present:   Past:

6. Do you think religious conversion is conscious or unconscious?

7. Could you state the nature of conversion in your village
   (i) Voluntary   (ii) Induced   (iii) Forceful

8. Why you have chosen Islam instead of Christianity/Buddhism?

9. What are advantages and disadvantages of being a member in majority and minority religious identity?

10. What is your opinion about religion and social inequality?

2.4 Groups
1. Do you have caste organization?
   Yes/No

2. Do you have women sangams?
   Yes/No

3. Which political party has majority of your caste/religion people?

4. Is group linked with party politics?
   Yes/No

5. Does your village have self-help groups? Yes/No

6. Does your village have youth organization?
   Yes/No
7. Did this organization act for religious propaganda?
   Yes/No   Elaborate.

2.5 Education

1. Is there problem of educated unemployed in your village?
2. Whether, they are employed because of conversion?
3. Are you receiving free books and other facilities specified to SCs?
4. Do you receive any educational assistance from church/mosque?
   Yes/No   Elaborate
5. Do you think your less education is responsible for backwardness?
   Yes/No

2.6 Occupation:

1. State the primary and secondary works of your family members?
2. Whether your income is enough to meet your needs?
   Yes/No
3. Where you have to go for your employment?
   (i) High caste people land   (ii) Low caste people land
   (iii) Same caste people land
4. State relationship with owners?
   (i) Cordial   (ii) satisfactory   (iii) Unsatisfactory
5. Do you face any exploitation in work?
   Yes/No   If yes, elaborate the nature.
6. What is your occupation before and after conversion?
7. Whether unemployment is responsible for conversion?
   Yes/No
7 Social Relationship

1. Whether Jajmani system is in practice in your village?
   Yes/No

2. Whether you have separate Barber/Dhobi for your caste?
   Yes/No If Yes elaborate

3. Do you think disintegration of Jajmani led to disharmony among caste groups?

4. Does your village have separate Burial grounds?
   Yes/No If Yes state the reasons.

5. Where you are having your burial ground?
   (i) S.C.'s burial ground (ii) Separate ground
   (iii) Church/Mosque (iv) Separate Church/Mosque.

6. Could you mention the Social relationship prevail among the convertees and people of original faith?

7. Do you have separate Church/Masque for convertees?
   Yes/No

8. Explain the settlement pattern in your village?

9. State the relationship with your caste people?
   Before conversion After conversion

10. State the relationship with other caste people?
    Before conversion After conversion

11. Do you have link with Hinduism?
    Yes/No

12. Before conversion, did you regularly visit the temples?
    Yes/No
13. Are you attending prayer regularly in converted religion?
   Yes/No

14. Do you have separate place for worship in within church/mosque?

15. Do you have separate tumbler in tea shop?
    Yes/No

16. Do you get respect from high caste people?
    Yes/No

17. Why caste conflicts are occurring in rural area?
    a) Untouchability  b) intolerance towards development of SCs.
    c) Intolerance towards the domination. (d) Awareness of rights.
    (e) Caste organisations.

3. Circumstances and Factors behind the conversion

1. In which year you are converted?

2. How many families are converted?

3. State the reasons behind the conversion?
   a. Conviction in Christian/Muslim Doctrine
   b. Regular care and visit by pastor
   c. Improved social status
   d. Ill-treatment by upper caste people
   e. Fear of clash with upper castes
   f. Economic benefits
   g. Employment benefits
   h. Equality
   i. Others (specify)

4. Who conducted the conversion ceremonies?
   (i) Religious leaders  (ii) Same caste leader  (iii) Self
5. Are you converted due to peer group influence?
   Yes/No

6. What you think about matrimonial ties with converted families and families of same caste(SC)?

3.1 Psychological aspects in conversion

1. Do you have new way of life after conversion?
   Yes/No

2. Does Conversion provide modern Outlook/Status implication?

3. What do you expect from other caste members?
   (i) Equality  (ii) Dignified treatment  (iii) Social concerns  (iv) Any other

4. With what expectations the conversion was undertaken?

5. Were you dissatisfied with Hindu ideologies?
   Yes/No

3.2 Theological aspects in conversion

1. Jesus/Allah will solve your problems than Hindu Gods?
   Yes/No

2. Are you converted because of equality in Church/Mosque?
   Yes/No

3. Are you influenced by Religious programme in Radio/T.V?
   Yes/No

4. Before conversion, conviction of Hindu ideas?
   (i) Very much  (ii) little  (iii) low

5. Now, conviction of Muslim/Christian ideologies?
   (i) Very much  (ii) little  (iii) low
3.3 Cultural/Ecclesiastical aspects in conversion

1. Are you attracted by church/mosque worship?
   Yes/No

2. Are you impressed by casteless worship?
   Yes/No

3. Are you impressed with calmness in worship?
   Yes/No

4. Whether Animal sacrifice is not liked by you?
   Yes/No

5. Payment of fee for worship is also responsible for your conversion?
   Yes/No

6. Are you converted, because, of some of the converted people have gained respect?
   Yes/No   If yes, what is kind of respect?

7. Are you converted because of missionary activities?
   Yes/No   If yes elaborate.

8. In which religion you have matrimonial relationships?
   (i) Original religion   (ii) Converted religion
   (iii) Among converted segments   (iv) Others

10. Have you given up all Hindu practices?
    Yes/No

    If No, why?
    a) All Gods are one and the same
    b) Cannot forget the post religious life
    c) To mix with relatives
    d) No special
    e) Cannot say
3.4. Social factors in Conversion:

1. You are converted because, Social discrimination practiced in your Village?
   Yes/No

2. Whether Caste clash is responsible for conversion?
   Yes/No

3. Is temple entry is not allowed to your caste people a reason for conversion?
   Yes/No

4. Impact of conversion on Society in Social relationships:

1. What is your expectation at the time of conversion?
   (i) Job opportunities
   (ii) Better social status
   (iii) Equality
   (iv) Untouchability free religions
   (v) Erase the caste identify
   (vi) Money, material benefits
   (vii) Others

2. Whether your expectations are fulfilled?
   (i) Partially (ii) Completely (iii) Not

3. Whether your economic condition is improved out of conversion?
   (i) Very much (ii) Sustainability (iii) Very little
   (iv) No change (v) Deterioration.

4. What are the gains after conversion?
   Social: (i) Better treatment by other caste
   (ii) Get along with others (iii) Low caste identity is erased
   (iv) Free from untouchability
   Economic: (i) Money (ii) Job (iii) Business can also run by us
6. Because of conversion, are you loosing S.C status?
   Yes/No

7. Do you face any difference in worship Mosque/Church?
   Yes/ No

9. State what kind of treatment you are receiving from high caste people after conversion?
   (i) Better (ii) Worst (iii) same (iv) Like other religion

10. Where you are having settlement in your village?
    Before Conversion. After conversion.

11. What type of change occurred between converts and caste Hindus?

12. High caste people are participating in your social functions?
    Yes/No
    Before conversion After conversion

14. Do you have change in your life style?
    Yes/No

15. Do you have change in physical appearance?
    Yes/No

16. Whether any occupational mobility take place or not?

18. Do you want to reconvert yourself?
    Yes/No If yes, why?

Suggestions to Prevent Caste hatredness/Promote just social order:

1. What should the role of upper caste / lower caste leaders in
   prevention of social tension?

2. How do to promote peaceful Social relationship in various groups?

3. Could you state role of political leaders role in maintaining Social
   relationship?
SOCIAL STRUCTURE AND RELIGIOUS CONVERSION IN TWO DISTRICTS OF TAMIL NADU- A DIAGNOSTIC STUDY.

Interview Guide For Caste Hindus

1. Do you accept Converted people as Muslim/Christian?  
   Yes/No  
   If Yes, Explain. If No, why?

2. What is your opinion about conversion?

3. What is your relationship with low caste people?  
   Before conversion: After conversion:

4. Do you have better contact with low caste people after conversion?

5. Do you think low caste people now economically superior/ better than high castes?

6. Status of high and low created by God ‘or’ man.

7. Do you think they have to continue as lower caste?

8. Conversion is proper way to eliminate the caste system?


10. Caste conflict is occurring because of educational, economic betterment of low Caste?

11. Do you think low caste people are intolerant in these days?

12. Intolerance is emerging because of awareness of their rights?

13. What type of change occurred between you and convertees?

14. Nature of missionaries work in your area?

15. Whether they are working with the motive of conversion?

16. Whether this conversion has to stop or not.
17. State the Nature of Religious conversion in your village?
   (i) Voluntary  (ii) Forceful  (iii) Induced
   (iv) Educational facilities  (v) Because of untouchability

18. What should do for Caste Conflict?

19. What should be the role of upper caste/ lower caste leaders in prevention of social tension?

20. Where places of religious worship are located( provide elaborate details since its inception)

21. What are the activities of church and masques?

22. Did any religious leaders openly canvass for conversion?

23. What are the Social services (with alter motive) provided by Missionaries?
SOCIAL STRUCTURE AND RELIGIOUS CONVERSION IN TWO DISTRICTS OF TAMIL NADU – A DIAGNOSTIC STUDY.

Interview guide for SCs (Not converted)

1. Do you accept converted people Muslims/Christians?  
   Yes/No  
   If Yes, Explain?  
   If No, Why?
2. Why you are continuing in the same religion inspite of discrimination?
3. Conversion is a proper way to eliminate the caste?  
   Yes/No. Elaborate
4. What is the gain in conversion?
5. Who is responsible for conversion?
6. What are advantages and disadvantages of being SC?
7. What are the advantages and disadvantages of conversion?
8. Mention castes involved in Agricultural operation in your village?
9. Land owner relationship
10. Wage Payment.
11. Drinking Water.
12. Treatments in Tea-shop and other common places.
13. State the reason for caste conflict.
14. SCs are intolerant these days?
15. SCs are better than high caste people economic and educational standards?
16. Awareness about their rights?
17. Do you have more tolerance than others?
18. Do you have matrimonial relationship with converted people?
19. Where do they have matrimonial?
20. Idea to stop forcible conversion.
21. State the Nature of conversion in your village.
   (i) Voluntary (ii) Forceful (iii) Inducements
   (iv) Educational benefits (v) Because of untouchblity.
APPENDIX-I

The Madhya Pradesh Dharma Swatantrya Adhiniyam, 1968

An Act to provide for prohibition of conversion from one religion to another by the use of force or inducement 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:

Note: It is observed that large scale conversions are taking place mostly among the Adivasis and persons belonging to other backward classes of the State. The illiteracy and poverty of the people is exploited and promises of monetary, medical and other aid are given to allure them to renounce their religion and adopt another religion. The Bill seeks to prohibit such conversions by use of force or by allurement or by any fraudulent means.

(Vide Statement of Objects and Reasons published in Madhya Pradesh Rajpatra (Asadharan) dated 6 September 1968 page 1391.)

1. Short title, extent and commencement:
   1. This Act may be called the Madhya Pradesh Dharma Swatantrya Adhiniyam, 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 monetary or otherwise;
   (b) 'conversion' means renouncing one religion and adopting another;
   (c) 'force' shall include a show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication;
   (d) 'fraud' shall include misrepresentation or any other fraudulent contrivance;
   (a) '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 of 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 provisions contained in section 3 shall, without prejudice to any civil liability, be punishable with imprisonment of either description 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 women or person belonging to the Scheduled Castes or Scheduled Tribes, the punishment shall be imprisonment to the extent of two years and fine up to ten thousand rupees.

6. 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 as 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 within sufficient cause to comply with the provisions contained in subsection (1), he shall be punishable with imprisonment 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 Magistrate of the District or such other authority, not below the rank of a Sub-Divisional Officer, as may be authorised by him in that behalf.

APPENDIX-II


Arunachal Pradesh Legislative Assembly

The Arunachal Pradesh Freedom of Religion Act, 1978

To provide for prohibition of conversion from one religious faith to any other 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 The Arunachal Pradesh Freedom of Religion Act, 1978
   2. it extends to the whole of union Territory of The 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 an indigenous faith and adopting another faith or religion.
   (c) ‘Indigenous’ means such religions, beliefs, and practices including rites, rituals, festivals, observations, preformances, 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, Khamtis, and Singphoos, and Vaishnavism, as practiced by Noctes, Akas and Nature worships, including worships of Dony-Polo, as prevalent among other indigenous communities of Arunachal Prades.
   (d) ‘Force’ shall include show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication.
   (e) ‘Fraud’ shall include misinterpretation or other fraudulent contrivance.
   (f) ‘Inducement’ shall include the offer of any gift, or gratification, either in cash or in kind and shall aslo include the grant of any benefit, either pecunary or otherwise.
   (g) ‘Prescribed’ means prescribed under the rules.
   (b) ‘Religious faith includess any indigenous faith.'
3. Prohibition of forcible conversion: No person shall convert or attempt to convert, either directly or otherwise, any person from indigenous faith by use of force or by inducement or by any fraudulent means nor shall any person abet any such conversion.

4. Punishment for contravention of the provision of Sec. 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 his indigenous faith to any other faith of religion 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 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 hundred 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 previous sanction of the Deputy Commissioner or such other authority, not below the rank of an Extra Assistant Commissioner as may be authorised by him in his behalf.

8. Power to make rules: The Government may make rules for the purpose of carrying out the provisions of this Act.
APPENDIX-III


As introduced in the Sabha on 22 December 1978.

Bill no 178 of 1978

By Shri O.P. Tyagi M.P

A Bill: To provide for prohibition of conversion from one religion to another by the use of force or inducement or by fraudulent means and for matters incidental thereto.

Be it enacted by Parliament in the Twenty-ninth year of the Republic of India as follows:

1. Short title and commencement:
   1. This Act may be called the Freedom of Religion Act, 1978.
   2. It shall come into force on such date as the Central Government may, by notification in the official Gazette appoint.

2. Definitions: In this Act unless the context otherwise requires:
   a) 'conversion' means renouncing one religion and adopting another
   b) force shall include a show of force or a threat of injury of any kind including threat of divine displeasure or social excommunication;
   c) 'fraud' shall include misrepresentation or any other fraudulent contrivance;
   d) '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
   e) 'minor' means a person under eighteen years of age

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

4. Punishment: Any person contravening the provisions contained in section 3 shall, without prejudice to any civil liability, be punishable with imprisonment of either description which may extend to one year or with fine which may extend to three thousand rupees or with both:

   provided that in case the offence is committed in respect of a minor, a woman or person belonging to the scheduled castes or scheduled tribes, the punishment shall be imprisonment to the extent of two years and fine up to five thousand rupees.

5. Offence to be cognizable: An offence under this Act shall be cognizable and shall not be investigated by any officer below the rank of an inspector of police.
6. Prosecution to be made with the sanction of District Magistrate: No prosecution for an offence under this Act shall be made without the sanction of Magistrate of the District or such other authority, not below the rank of Sub-Divisional Officer, as may be authorised by him in that behalf.

7. Probation of Offenders Act not to apply: The provision of the Probation of Offenders Act, 1958 shall not apply to the punishment of offences committed under this Act.


Statement of Objectives and Reasons: One of the Fundamental Rights enshrined in the constitution is right to profess, practice and propagate religion of one’s choice.

Conversion from one religion to another, done by free consent and will, cannot be questioned. But State protection is required where it is sought to be attained by terror, undue influence, allurement or wrongful inducement. The importance of providing this protection to persons belonging to the Scheduled Castes and Scheduled Tribes is all the more necessary and cannot be ignored. The policy of the state should be directed to achievement this aim.

Hence this Bill

New Delhi
21 November 1978
O.P. Tyagi.

APPENDIX-IV


The following is a summary of the recommendations which we have made:-

1. Those Missions whose primary object is proselytization should be asked to withdraw. The large influx of foreign Missionaries is undesirable and should be checked (Paragraph 72, Chapter IV, Volume I).

2. The best course for the Indian Churches to follow is to establish a United Independent Christian Church in India without being dependent on foreign support (Paragraph 78 ibid)

3. The use of medical or other professional services as a direct means of making conversions should be prohibited by law (Paragraph 82 ibid)
4. To implement the provision in the Constitution of India prohibiting the imparting of religious education to children without the explicit consent of parents and guardians, the Department of Education should see that proper forms are prescribed and made available to all schools (paragraph 86 ibid).

5. Any attempt by force or fraud, or threats of illicit means or grants of financial or other aid, or by fraudulent means or promises, or by moral and material assistance, or by taking advantage of any person's necessity, spiritual(mental) weakness or thoughtlessness, or indirectly to penetrate into the religious consciences of persons (whether of age or under age) of another faith, for the purpose of consciously altering their religious conscience or faith, so as to agree with the ideas or convictions of the proselytizing party should be absolutely prohibited (paragraph 87 ibid).

6. Religious institutions should not be permitted to engage in occupations like recruitment of labour for tea gardens (paragraph 88 ibid.).

7. It is the primary duty of Government to conduct orphanage as the State is the legal guardian of all minors who have no parents or natural guardians (paragraph 89 ibid.).

8. Government should issue an appeal to authoritative and representative and representative Christian Missionary Organisations and to Christian individuals to come together and to form an authoritative organization which should lay down and inform the Government in clear terms the policy which the Missions and Christians in general will follow in respect of propagating their religion, the methods to be followed in conversions, the type of propaganda which will be promoted and the attempts which will be made to confine their evangelistic activities within the limits of public order, morality and health (Paragraph 90 ibid.).

9. An amendment of the Constitution of India may be sought, firstly to clarify that the right of propagation has been given only to the citizens of India and secondly that it does not include conversion brought about by force, fraud or other illicit means (Paragraph 91 ibid.).

10. Suitable control on conversions brought about through illegal means should be imposed. If necessary, legislative measures should be enacted (Paragraph 92 ibid.).

11. Advisory Boards at State level, regional level and district level should be constituted of non-officials, minority communities like Tribals and Harijans being in a majority on these boards (Paragraph 93 ibid.).
12. Rules relating to the registration of Doctors, Nurses and other personnel employed in hospitals should be suitably amended to provide a condition against evangelistic activities during professional services (Paragraph 95 ibid.).

13. Circulation of literature meant for religious propaganda without approval of the State Government should be prohibited (Paragraph 96 ibid.).

14. Institutions in receipt of grants-in-aid or recognition from Government should be compulsorily inspected every quarter by officers of the Government (Paragraph 97 ibid.).

15. Government should lay down a policy that the responsibility of providing social services like educations, health, medicine, etc., to members of schedule tribes, castes and other backward classes will be solely of the State Government, and adequate services should be provided as early as possible, non-official organizations being permitted to run institutions only for members of their own religious faith (Paragraph 98 ibid.).

16. A separate department of Cultural and Religious Affairs should be constituted at the State level to deal with these matters which should be in charge of Minister belonging to a scheduled caste, tribe or other backward classes and should have specially trained personnel at the various levels (Paragraph 99 ibid.).

17. No non-official agency should be permitted to secure foreign assistance except through Government channels (Paragraph 100 ibid.).

18. No foreigner should be allowed to function in a scheduled or a specified area either independently or as a member of a religious institution he has given a declaration in writing that he will not take part in politics (Paragraph 100 ibid.).

19. Programmes of social and economic uplift by non-official or religious bodies should receive prior approval of the State (Paragraph 100 ibid.)
Tamil Nadu Acts and Ordinances.

The following Ordinance which was promulgated by the Governor on the 5th October 2002 is hereby published for general information:-

TAMIL NADU ORDINANCE No.9 OF 2002.

An Ordinance 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.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:-

1. (1) This Ordinance may be called the Tamil Nadu Prohibition of Forcible Conversion of Religion Ordinance, 2002. Short title and commencement.

(2) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires,--- Definitions.

(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 displeasure or social ex-communication;

(d) "fraudulent means" includes misrepresentation or any other fraudulent contrivance;

(e) "minor" means a person under eighteen years of age.

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

4. Whoever contravenes the provisions 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 fifty thousand rupees:

Provided that whoever contravenes the provisions of section 3 in respect of a minor, a woman or a person belonging to Schedule Caste or Schedule 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 one lakh rupees.

5. (1) Whoever converts any person from one religion to another either by performing any ceremony by himself for such conversion as a religious priest or by taking part directly or indirectly in such ceremony shall, within such period 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) Whoever fails, without sufficient cause, to comply with the provisions of sub-section (1) shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

6. No prosecution for an offence under this Ordinance shall be instituted except by or with the previous sanction of the District Magistrate or such other authority, not below the rank of a District Revenue Officer, as may be authorised by him in that behalf.

7. (1) The State Government may make rules for the purpose of carrying out the provisions of this Ordinance.
(2) Every rule made under this Ordinance shall as soon as possible after it is made be placed on the table of the Legislative Assembly, and if before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or the Assembly decides that the rule should not be made, the 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 under that rule.

Note: This Act was withdrawn after 2004 General Election of State Government

MINISTRY OF WELFARE
New Delhi, the 31st March, 1995
NOTIFICATION

G.S.R. 316 (E). - In exercise of the powers conferred by sub-section (1) of Section 23 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989), the Central Government hereby makes the following rules, namely: -

1. SHORT TITLE AND COMMENCEMENT: (1) These rules may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS: In these rules, unless the context otherwise requires:

(a) "Act" means the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (33 of 1989);

(b) "dependent", with its grammatical variations and cognate expressions, includes wife, children, whether married or unmarried, dependent parents, widowed sister, widow and children of pre-deceased son of a victim of atrocity;

(c) "identified area" means such area where State Government has reason to believe that atrocity may take place or there is an apprehension of reoccurrence of an offence under the Act or an area prone to victim of atrocity;
(d) "Non Government Organisation" means a voluntary organisation engaged in the welfare activities relating to the Scheduled Castes and the Scheduled Tribes and registered under the Societies Registration Act, 1860 (21 of 1860) or under any law for the registration of documents or such organisation for the time being in force;

(e) "Schedule" means the Schedule annexed to these rules;

(f) "Section" means section of the Act;

(g) "State Government", in relation to a Union Territory, means the Administrator of that Union Territory appointed by the President under Article 239 of the Constitution;

(h) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.