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Home, Prison and Disaster Management Department

Notification

19 February, 2018

No.-08/misc.(01)-53/2017—7295-- Ranchi, Dated-19.12.2017...In exercise of the powers conferred to sub section-8 of the Jharkhand Freedom of Religion Act, 2017 the Governor of the state of Jharkhand hereby makes the Jharkhand Freedom of Religion Rules, 2017, namely-

1. Short title.

- (1) These rules may be called the Jharkhand Freedom of Religion Rules, 2017.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions

- (1) In these rules, unless the context otherwise requires,
 - (a) “Act” means the Jharkhand Freedom of Religion Act, 2017
 - (b) “Form” means form appended to these rules;
 - (c) “Government” means the Government of Jharkhand; and
 - (d) “State” means the State of Jharkhand.
 - (e) “Organization” means a body of persons authorized by religious institutions which

expound spiritual thoughts of different religions and outside the country;

(f) “Religious Institutions” means different religious authorities, which expound religious thoughts in the country and abroad;

(g) “Investigation” shall have the same meaning as is defined under section 2 (h) of the Code of Criminal Procedure.

(h) “Victim” means aggrieved person who has been forcibly converted from one religion/religious faith to another religion/religious faith by any allurements, force, fraud, under influence.

(2) All the words and expressions used but not defined in these rules shall have the same meaning as is respectively assigned in the Act.

3. Notice and prior permission before conversion

(1) Whoever / religious priest, converts any person from one religion/religions faith to another shall give a notice to the District Magistrate of the District in which he is permanently resident, 15 days prior to such conversion, in Form A attached to the rule and obtain prior permission before conversion from District Magistrate of the District in which he is permanently resident.

(2) The District Magistrate shall cause all notices received under sub-rule (1) of rule 3 to be entered in a Register of Notices and get the matter enquired into by such agency as he may deem fit and record his findings as regards the particulars of notice given:

Provided that the person giving notice and any other person likely to be prejudicially affected shall be given adequate opportunity to associate himself with any such enquiry.

On receipt of the application made under sub-rule (1) in Form A, the District Magistrate shall put his signature thereon indicating the date and time of receipt of such application. An acknowledgement for the receipt of the application shall be given in Form B.

4. Information after conversion to District Magistrate

(1) The person converted from one religion/religions faith to another shall give intimation to the District Magistrate of the District in which the ceremony of conversion has taken place of the fact of such conversion within seven days of such conversion, in Form C attached to the rule.

5. Power of District Magistrate to inspect the record of the religious institutions and organizations:-

The District Magistrate shall have power to inspect the premises and record of the religious institutions and organizations at any time when ever required or the thinks fit for such inspection.

6. List of religious institutions and organizations

- (1) Each District Magistrate shall maintain a list of religious institutions or organizations propagating religious faith in his/her district and that of persons directly or indirectly engaged for propagation of religious faith in the district.
- (2) The District Magistrate, if he thinks appropriate, may call for a list of persons with the religious faith, receiving benefits either in cash or from, from the religious institutions or organization or from any person concerned therewith.

7. Inquiries in other cases

Where on the basis of any complaint or any information laid before him, the District Magistrate is of the opinion, for reasons to be recorded

- (a) that force or inducement have been used or is likely to be used in any conversion within the local limits of his jurisdiction; or
- (b) that a conversion has taken place without notice in contravention of the provisions of this Act, he may cause an inquiry to be made in the matter and proceed in the manner as provided in Rule 3.

Every such complaint so received shall be entered in the Register of Notices and Complaints of conversion in Form D.

8. Registration and Investigation of Case.

- (1) If after enquiry the District Magistrate records a finding that a conversion has taken place or is likely to take place through the use of force or inducement or without the requisite notice, he shall enter the particulars of the case in the Register of Forced Conversion in Form D and refer the case along with all material adduced during the course of the enquiry to the Police Station in which the person is resident or where the conversion is intended or done for registration of a case and its investigation
- (2) An offence under this Act shall be investigated by a police officer not below the rank of Inspector of Police.
- (3) The investigating officer so appointed under rule 8 (1) shall complete the

investigation on top priority and submit charge sheet within a period of sixty days.

9. Sanction for Prosecution.

If after investigating the matter, it appears that an offence under this rule has been committed, the Investigating Officer shall place all relevant material before the authority empowered and such sanction shall be granted or refused within a period of 7 days, giving reasons in writing.

10. Submission of report to the Government.

The District Magistrate of the each district in the State shall on the 10th of each month send to the State Government a report of intimations received by him in this respect during the preceding month in Forms E & F, as the case may be.

10. Compensation

Any person within the meaning of victim under this rule will be entitled to compensation, within the meaning of Jharkhand Victim Compensation Scheme, 2016.

By the order of Governor of Jharkhand,

S.K.G.Rahate,
Principal Secretary to Government.

FORM A**Intimation regarding conversion from one religious faith to another**

To,

The District Magistrate,

District _____

Sir,

I, as a religious priest intend to perform necessary ceremony for conversion of Shri _____ son of _____ Resident of village/ Muhalla _____, Post Office _____, Police Station _____, District _____ from _____ religious faith to _____ religious faith, do hereby, give intimation of conversion as required by sub-rule of Rule 3(1) of the Jharkhand Freedom of Religious Rules, 2017 as follows:

1. Name of the person to be converted _____
2. Name of the father/ husband of the person to be converted _____
3. Address of the person to be converted:
 Village/ Muhalla _____
 House No. _____, Ward No. _____
 Post Office _____
 Police Station _____
 District _____
4. Age _____
5. Sex _____
6. Nationality _____
7. Occupation of the person to be converted _____
8. Monthly income of the person to be converted _____
9. Whether married or unmarried _____
10. If a minor, name and full address of the guardian _____
11. Name of the persons, if any, dependent upon the person to be converted _____
12. Whether belongs to Scheduled caste or Scheduled Tribe and if so particulars of such Caste/ Tribe _____
13. Address of the place where the conversion ceremony has to take place _____
14. Proposed date of conversion _____
15. Name and address of the person other than the priest who will perform the conversion ceremony _____
16. Name and address of at least two persons other than the priest giving intimation to remain present at the time of conversion ceremony: (a) _____
 (b) _____

Signature of the priest

Verification

I, the undersigned do hereby declare that the facts and particulars stated above are true to the best of my knowledge and belief.

Place: _____

Date: _____

Signature of the priest: _____

FORM B

Received intimation under Rule 3(2) of the Jharkhand Freedom of Religion Riles, 2017 from Shri _____, son of _____, resident of _____ with respect to conversion of Shri _____, Son of _____, resident of _____ from religious faith to religious faith _____.

Dated: _____

Signature
District Magistrate

FORM C**Register of conversion**

1. Name of the person to be converted _____
2. Name of the father/ husband of the person to be converted _____
3. Address of the person to be converted:
 - Village/ Muhalla _____
 - House No. _____, Ward No. _____
 - Post Office _____
 - Police Station _____
 - District _____
4. Age _____
5. Sex _____
6. Nationality _____
7. Occupation of the person to be converted _____
8. Monthly income of the person to be converted _____
9. Whether married or unmarried _____
10. If a minor, name and full address of the guardian _____
11. Name of the persons, if any, dependent upon the person to be converted _____
12. Whether belongs to Scheduled caste or Scheduled Tribe and if so particulars of such Caste/ Tribe _____
13. Address of the place where the conversion ceremony has to take place _____
14. Proposed date of conversion _____
15. Name and address of the person other than the priest who will perform the conversion ceremony _____
16. Name and address of at least two persons other than the priest giving intimation to remain present at the time of conversion ceremony: (a) _____
(b) _____

Signature of the priest

Verification

I, the undersigned do hereby declare that the facts and particulars stated above are true to the best of my knowledge and belief.

Place: _____

Date: _____

Signature of the priest: _____

FORM B

Received intimation under Rule 3(2) of the Jharkhand Freedom of Religion Riles, 2017 from Shri _____, son of _____, resident of _____ with respect to conversion of Shri _____, Son of _____, resident of _____ from religious faith to religious faith _____.

Dated:

Signature
District Magistrate

FORM C**Register of conversion**

1. Name of the person converted _____
2. Father's name of the person converted _____
3. Address of the persons converted with full details: village _____, House No. _____, Ward No. _____, Mohalla, Post Office _____, Police Station _____, District _____.
4. Age _____
5. Ssex _____
6. Occupation and monthly income of the person converted _____
7. Whether married or unmarried _____
8. Name of the person(s), if any, dependent upon the person converted _____
9. In case of minor, name and full address of the guardian _____
10. Whether belongs to Scheduled Case or Scheduled Tribe and if so, particulars of such Caste or Tribe _____
11. Name and address of the place where conversion has taken place _____
12. Date of conversion _____
13. Name and address of the priest/person who has performed the conversion ceremony _____
14. Name of at least two persons other than the priest/the persons giving intimation, present at the time of conversion ceremony _____

Signature of the converted person

FORM D (see rule 8 & 9)
REGISTER OF FORCED CONVERSION

| Date of receipt of notice or complaint | Name and address of the person giving notice or making complaint | Father's name | Name and full address of the person converting | Age | Sex | Occupation and monthly income of the person converted | Whether married or un-married |
|--|--|---------------|--|-----|-----|---|-------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

| Name of persons, if any, dependent upon the person converted | If a minor, name and full address of the guardian, if any | Whether belongs to Scheduled Caste or Scheduled Tribe and if so, particulars of such Caste or Tribe | Findings of the inquiry in brief | Date, if referred to Police Station under section 8 & 9 | Date of prosecution sanction, if any or reasons for refusal | Verdict of court with date |
|--|---|---|----------------------------------|---|---|----------------------------|
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
