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# Navigating Through the Troubled Waters: An Analysis of the Anti-Conversion Laws

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## ABSTRACT

*India has two million gods and worships them all. In Religion, all other countries are paupers; India is the only millionaire - Mark Twain*

*Basking in the afterglow of the warmth of freedom capitulated by our freedom fighters 75 years ago, India has been set in the aegis of multi religionism with Secularism as an inextricable aspect entrenched in the Constitution of India and Article 25 further warranting every citizen the Right to practice, profess and propagate his Religion.*

*In recent times albeit, it has been endangered due to the malady of hatred that is being propagated by political parties as per their vendettas and causing many quagmires. Exacerbating the situation further, due to rampant conversions being carried out illegally in the garb of the Right to the propagation of one's Religion, lawmakers with an intendment to curb the macabre practice inducted The Anti-Conversion Laws, the coming of which caused much furore with many purporting them to be discriminatory and tantamount to a succinct infraction of the sacrosanct rights that our Constitution vouchsafes while others averred it incumbent to combat the horrendous practice.*

*The recent stance is the promulgation of Anti-Conversion Laws in the state of Uttar Pradesh and the neoteric incidents pertinent that have shaken the sanctimonious preambular spirits resulting in jeopardisation of rights of the minorities in the Country. The following paper aims at meticulously scrutinising the Anti-Conversion Laws and their ramifications in different states and extrapolating if they inculcate the spirit of communal apartheid or bolster the concept of Secularism in India.*

**Keywords:** *multi religionism, equality, dignity, transgression, Secularism*

## I. INTRODUCTION

With all the technological headways and high human progressions, it would be engrafted in the chequered history of the 21<sup>st</sup> century about the discernible rise of Religion as a pivot in Politics again. Religion and Politics have been from the time immemorial living in a connubial wherein the former is often shouldering the responsibility to gain political mileage garner votes, thus

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placing it on the slippery pedestal of gullibility which often leads to superfluous ramifications and violent outpourings.<sup>2</sup>

It is pointed out that in India, “If life can be likened to a pie, Religion is not one piece of that pie alongside the pieces labelled politics, economics, social structure, education and law. Rather, Religion is the fruit found in each and every piece of the pie.”<sup>3</sup>

It is where emotional feelings quell logical acumen, and even the recalcitrant individuals change their course by becoming acquiescent. The precursors, thus taking the cognisance of the momentousness of Religion, crafted the Constitution on the edifice of Secularism only. The Constitution of India thus caters by warranting every individual the freedom of Religion and the Right to engender any religion. It is imperative to note herein that Secularism was belatedly added in the preamble vide 42<sup>nd</sup> amendment, 1976 but was tacitly embodied in Article 25 -28, at Part III, where are fundamental rights are nestled. The multi religiosity in India principles the state to make the best endeavour to inculcate cohesiveness, and therefore, mere state neutrality in religious matters is not sufficient. Rather the state has to play a proactive role, and for that, state intervention becomes incumbent.

Keeping in mind the maxim *Ubi jus, ibi remedium*<sup>4</sup>, many states<sup>5</sup> carved out the concept of Freedom of Religion Acts (hereinafter referred to as Anti Conversion Laws) to ensure that people are not being converted out of their volition and as a measure to combat the wrongful illicit conversions being carried out in the gamut of freedom of Religion.<sup>6</sup> But provided, this has been a volatile issue having the acumen of inciting sentiments and has been subjected to scrutiny a lot of times by the judiciary, various learned scholars and other innumerable jurists also being the subject of this article.

### **(A) Objectives of the research**

1. to gain an understanding of the freedom of Religion and principle of Secularism
2. the position of the Right to conversion in the Indian Constitution

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<sup>2</sup> Ajay Varghese, Hindu Muslim Riots in India, Berkely Centre (August 23, 2018) <https://berkeleycenter.georgetown.edu/responses/british-rule-and-hindu-muslim-riots-in-india-a-reassessment>

<sup>3</sup> Robert D Baird, Religion and Law in India: Adjusting to the Sacred as Secular in Religion and Law in Independent India. (Manohar, 2005).

<sup>4</sup> Where there is a right, there has to be a remedy

<sup>5</sup> The Uttar Pradesh Prohibition of Unlawful Religious Conversion Ordinance, 2020, Himachal Pradesh Freedom of Religion Act, 2019, Gujarat Freedom of Religion Act 2003, Chhattisgarh Freedom of Religion Act, 1968, Orissa Freedom of Religion Act, 1967, Madhya Pradesh Dharma Swatantra Adhinyam, 1968, Arunachal Pradesh Freedom of Religion Act of 1978, Uttarakhand Freedom of Religion Act, 2018 and Jharkhand Freedom of Religion Act, 2017

<sup>6</sup> Forced Conversions, <https://indianexpress.com/article/cities/ahmedabad/freedom-of-religion-bill-religious-conversion-in-india-gujarat-surat-6210512/> (last visited on 15<sup>th</sup> December, 2021)

### 3. constitutionality of anti-conversion laws vis a vis edifice of Secularism

## II. FREEDOM OF RELIGION AND SECULARISM

Freedom of Religion is validated by nearly every country in different forms, but in a nation like ours where people are besotted with their Religion, it becomes imperative to vouchsafe its gravity as it is the pivot running like an undercurrent and owing to its multifarious religiousness to the history rather than to any neoteric event. A greater part of India's population partners themselves with Religion<sup>7</sup>, thus being an enigmatic part of every individual's life as it determines the way of living by etching definite practices and rules that an individual follows, incepting from his birth and continuing till his death.

Hon'ble Justice Rathnavel Pandian, in a 9 judge bench decision,<sup>8</sup> differentiated between Freedom of Religion and Secularism and vehemently enunciated that while Religion is a matter internal to an individual, it is his personal religious beliefs; on the other hand, Secularism is a state of mind, it is the attitude or temperament of a person towards the people of other Religion<sup>9</sup> Thus, Secularism is the basic feature of the Constitution<sup>10</sup>, and thus it cannot be in any way trodden and to most Indians, secular means non-communal, or non-sectarian, but it does not mean non-religious. The basis of a secular state is not a 'wall of separation' between state and Religion but rather 'no preference doctrine', which requires that no special privilege be granted to anyone religion. The secular state includes the principle that the function of the state must be non-religious.<sup>11</sup>

Article 25- 28 ordains rights pertinent to Freedom of Religion to "every" person<sup>12</sup> Article 25(1) guarantees every citizen the right to freedom of conscience, the right to "profess", "practice", and "propagate" his Religion. The words that stand out noticeable are 'freedom of conscience', which are used distinguish than the words Right to 'freely profess, practice and propagate religion'. This article, therefore, is the most fragrant in the bouquet of fundamental rights, being foundational to an individual liberty<sup>13</sup>

Freedom of Conscience means that the person has the choice to adhere to any belief that seems conducive and cannot be in any way contrived or coerced to believe or disbelief something. While Freedom of Conscience is something inherent to the person but the Right to profess is a

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<sup>7</sup> Jonathan Evans and Nehal Sahgal, Key Findings about Religion in India, Pew Research Centre (last visited on 26<sup>th</sup> December, 2021) <https://www.pewresearch.org/fact-tank/2021/06/29/key-findings-about-religion-in-india/>

<sup>8</sup> S.R. Bommai vs Union Of India, 1994 AIR 1918

<sup>9</sup> Id

<sup>10</sup> Id at 6

<sup>11</sup> Donald E. Smith, *India as a Secular State* 381, Princeton University Press, New Jersey, 1963

<sup>12</sup> Not only to Indian citizens but to anyone who is residing in India

<sup>13</sup> Dalip Kumar Jha vs State of Punjab & Ors., 2014 AIR 2043

manifestation of the same explicitly. Though Article 25 can paraphrase as the soul of the Right to freedom of Religion encapsulated in the Constitution of India, it is herein to be noted that it is not an absolute right and is one of the only guarantees which is subject to all the fundamental rights guaranteed under the Constitution but provided it in no means can be seen as subservient to other rights rather it has to be harmoniously construed with the other fundamental rights in case a conflict arises.

The countenance to see noteworthiness of Religion as a subject matter can be succinctly inferred from the instance Indian Penal Code has a specific chapter titled “Of Offences relating to Religion”<sup>14</sup> which aims to punish acts which are done with an intendment to outrage the religious feelings at large or act done pertinent thereof, thus it can be extrapolated why the Country has been taking the Subject of Conversions so imperiously.

### **III. RIGHT TO CONVERSION: A FACET OF RIGHT TO FREEDOM OF RELIGION**

Right to Freedom of Religion sans liberty of thoughts and actions would be tantamount to being incongruous and paralysed. Albeit this gives rise to a lot of squabbling the corner as there is no engrafted rule that enumerates the Right to Convert. The reason behind all the controversies arouses is the nexus of the paraphrase’s propagation and conversion. Generally, **conversion is viewed as a reverberation to propagation**. The factum that these rights were discussed concomitantly with the rights of propagation in the Constituent assembly deposes that our forebears were instilled with the repercussions and reasonable nexus between the two. While some staunchly supported the decision to not include the phrase conversion, some were against that too, whatsoever they ended up leaving a window open for conflicts to arise and thus, The contrariety between the contours of freedom of Religion and the Right to conversion is something discernible here. The Apex Court, at innumerable occasions, took the opportune and delved into the subject of whether the Right to conversion is entailed in the Right of freedom of religion or not.

The Court in *Yulitha Hyde and Ors. vs State of Orissa*<sup>15</sup> case held **that conversion was held as a right inherent in the Right to freedom of religion as guaranteed by the Indian Constitution**.

Justice B Mukherjea, in the case of **Ratilal Panachand Gandhi v. the State of Bombay**,<sup>16</sup> emphatically established that every person has a fundamental right under our Constitution to

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<sup>14</sup> Indian Penal Code, Chapter XV, Section 295 to 298

<sup>15</sup> *Mrs. Yulitha Hyde And Ors. vs State Of Orissa*, AIR 1973 Ori 116

<sup>16</sup> *Ratilal Panachand Gandhi vs The State Of Bombay*, 1954 AIR 388

exhibit his belief and ideas in such overt acts as are enjoined or sanctioned by his Religion and further to propagate his religious views for the edification of others. In furtherance, the 5 judge bench in the case of **Rev Stanislaus**,<sup>17</sup> a leading authority under the subject matter, held that the Right to propagate one's religion means the Right to communicate a person's beliefs to another person or to expose the tenets of that faith, **but would not include the Right to 'convert'**.

The judgement of Rev Stanislaus's was, however, subjected to a lot of criticism and was referred to as **bad in law** as it failed to recognise a person's Right to conversion out of his choice and dilapidated his decisional autonomy as sometimes propagation would result into successful conversion and thus giving that no constitutional importance succinctly obfuscates the idea of freedom of Religion. However, The Apex Court took a different view in the case of **Shafin Jahan v Ashokan KM**<sup>18</sup> and firmly incorporated the **Right to Convert under the umbrella of Fundamental Right of choice** by enumerating that freedom of faith is essential to every individual's autonomy and is the substratum of individuality and sans it the Right of choice and freedom of religion would become a shadow.<sup>19</sup>

The Supreme Court also passed a dictum recently that the **Right to propagate has been incorporated for a reason and accrues the Right to every individual to choose their Religion freely** while quashing a PIL.<sup>20</sup> However, the conversion done with a mala fide intention to circumvent the rigours of law will not hold water and, per se, is unconstitutional.<sup>21</sup>

#### **IV. CONSTITUTIONALITY OF ANTI-CONVERSION LAWS VIS A VIS EDIFICE OF SECULARISM**

Fraudulent and forceful conversion is analogous to denudation of one's sacrosanct Right of Freedom of Religion and thus pose a grave threat to the principle of Secularism, and on that countenance, nine states have promulgated **anti-conversion laws euphemistically known as Freedom of Religion Acts**. At the same time, most of these anti-conversion laws ban conversion on account of fraud, force, allurements or inducement, some even place per se ban on conversion performed for marriage<sup>22</sup>.

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<sup>17</sup> Rev Stanislaus vs Madhya Pradesh, 1977 SCR (2) 611

<sup>18</sup> Shafin Jahan vs Asokan K.M., AIR 2018

<sup>19</sup> Id

<sup>20</sup> Ashwini Kumar Upadhyay vs Union Of India on 9 April 2021 (1)

<sup>21</sup> Smt. Sarla Mudgal, President vs Union Of India & Ors, 1995 AIR 1531

<sup>22</sup> Himachal Pradesh Freedom of Religion Act, 2019, Uttarakhand Freedom of Religion Act, 2018, Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020, Madhya Pradesh Freedom of Religion Ordinance, 2020

The Supreme Court, while commenting on the constitutionality of the first-ever enacted Anti Conversion Laws,<sup>23</sup> held it to be **ultra vires**<sup>24</sup>. In *Rev Stanislaus*,<sup>25</sup> however, the 5 judge bench **upheld the constitutional validity** of the first two conversion laws inducted<sup>26</sup> Following this, the state of Arunachal Pradesh inducted anti-conversion laws, which traced their roots from Orissa and Madhya Pradesh's Act only. But the forthcoming Act of Gujarat came up with an untried idea as it made it mandatory to report to the District Magistrate before converting one's Religion. The later laws emulated the same principle. The two-judge bench decision<sup>27</sup> emphatically called upon some sections of the Himachal Pradesh Freedom of Religion Act, 2006 and thus extrapolating them as being unconstitutional. The constitutional validity of the anti-conversion laws in at least four states that are Uttar Pradesh, Uttarakhand, Himachal Pradesh and Madhya Pradesh, pending, and a three-judge bench of the Apex Court has agreed to test the validity of these laws but has refused to put a stay on them. However, the matter has not been heard since February 2021.<sup>28</sup>

While many legal scholars, jurists and ex-judges have questioned the constitutional validity of these laws and have many times opined that the concept of these acts are not per se unconstitutional, there are a lot of maladies in the Act which are against the sanctimonious principles enshrined in Constitution.

## V. DICHOTOMIES PRESENT IN THESE ACTS

### 1. The definitions of the acts are hazy and obscure

The use of the word **Force** is done very ineloquently, thus impinging on normal interactions too further botching the concept of freedom to change their Religion even with their own volition. Similarly, the words **inducement and allurement** too are not defined properly, which form the basis of these acts; the word inducement herein carries a very vast meaning and thus is plagued as it would batter upon the legitimate processes that are being carried on by various religious denominations, charitable Act or carrying on educational programmes or schemes under Article 26 as an attempt to lure people. Similarly, the word allurement has been given a very wide expanse as it may also include simple bona fide acts being done by one individual to propagate. In early December 2021, in Mathura district in the North Indian state of Uttar

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<sup>23</sup> Orissa Freedom of Religion Act, Act No. 2, Acts of Orissa State Legislature, 1967

<sup>24</sup> *Id.* at 13

<sup>25</sup> *Id.* at 15

<sup>26</sup> Orissa Freedom of Religion Act, 1967 and Madhya Pradesh Religion Freedom Act, 1967

<sup>27</sup> *Evangelical Fellowship of India v State of HP*, 2012 HC

<sup>28</sup> Umang Poddar, Legal Challenges against anti conversion laws, <https://scroll.in/article/1014042/how-have-legal-challenges-against-indias-anti-conversion-laws-fared> (last visited on 2<sup>nd</sup> January, 2022)

Pradesh, police arrested seven Christian preachers “for allegedly carrying out a “forcible conversion campaign” in a village; however, later, it was found to be a frivolous case<sup>29</sup>. Thus the vague definition can lead to serious ramifications as by supposition if someone gifts another person Quran and if that person by his own choice gets encouraged to get converted to Muslim, then that will also come under the ambit of allurements and is also against the principle of Right of propagation which is guaranteed to every individual. Similarly, the definition of **Converter** poses a great threat even to people who have converted out of their own volition with the help of some knowledgeable person of the other Religion. According to Human Rights groups, in 2015, over 160 incidents were reported where Christians were targeted for their faith, with the highest number of incidents coming from Madhya Pradesh, followed by Tamil Nadu, Uttar Pradesh and Chhattisgarh.<sup>30</sup>

Many of these acts have excluded the **punishability of reconversions** if done by force and the distinction of conversion and reversion, thus dampening the objective of these acts in entirety and **impinging article 14 as it is completely groundless that how come if conversion is done by illicit means is punishable, but reversion is not.**

Thus, it can be extrapolated that the definitions are embedded and teeming with innumerable inconsistencies, and a huge void is left by the legislatures as they have not defined it in a rhetorical manner, and modifications must be made as they carve out fear of misuse and apprehension and as an attack on the vulnerable sections of the society thus leading to the disenfranchisement of their rights.

## **2. Making mass conversions punishable<sup>31</sup>**

Including mass conversions within the realm of “serious event” can lead to serious ramifications giving rise to conflicts and is succinctly an infringement of article 25 as if by supposition a family as a whole wants to get converted that would fall under this if proven otherwise. And while the Madhya Pradesh and Orissa acts have fewer punishments for the same, the Uttar Pradesh ordinance’s punishment for mass conversion extends to 10 years, which basically propels and instils apprehension in the minds of people, thus **resulting in deterring even legal conversions.**

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<sup>29</sup>Bismee Taskin, 1 year of UP Anti Conversion Law, <https://theprint.in/india/1-year-of-up-anti-conversion-law-108-cases-chargesheet-filed-in-72-lack-of-proof-in-11/770763/> (last visited on 29<sup>th</sup> December, 2021)

<sup>30</sup>Tehmina Arora, Spread of Anti Conversion Laws from India, <https://evangelicalfocus.com/lausanne-movement/1734/the-spread-of-anti-conversion-laws-from-india> (last visited on 10<sup>th</sup> January, 2022)

<sup>31</sup>The Uttar Pradesh Prohibition of Unlawful Religious Conversion Ordinance, 2020, Section 2(f), No. 21, Acts of Parliament, 2020 (India)



### 3. Conflation with article 21

These acts are also against the principle of the constitutional validity that is guaranteed to every person under Article 21 as robs a person of their **agency, privacy, choice and autonomy**.

Former judge of the Kerala High Court, Justice M Sasidharan Nambiar, also said that in his view, “the ordinance will not survive the test of constitutional validity as it violates Article 21 of the Constitution which guarantees personal liberty of every citizen of this nation irrespective of religion, caste and gender.”

Many of these acts impose an impediment on the people who want to get converted so as to inform the District Magistrate first, and <sup>32</sup> then he will, in turn, put out the notice seeking any objections and only if there would be no objections the person would be allowed to get converted. This ridicules and broaches the whole **rubric of Article 21** that is often referred to as the heart of the Constitution as it defies his dignity and robs the person of his individual and decisional autonomy. In furtherance, now **Right to privacy** of an individual is a right implicit under article 21 <sup>33</sup>, and certainly, there cannot be anything more personal or private to that person other than his faith, belief and relationship with God and endorsing that by means of a notice would be equivalent to endorsing his personal life out there and is tantamount to squandering of his Fundamental Right enshrined.

### 4. Right to choose a life partner

The Apex Court in **Shafin Jahan v. Asokan KM** <sup>34</sup> emphatically established and incorporated that the Right to choose a life partner is an absolute right irrespective of one’s religion or faith, but these Acts rather than buttressing that notion, are robbing the interfaith couples of their rights because of the tedious process that is crafted to change their Religion to get married as the law harbours that they have to give a mandatory 60 days notice to the district magistrate before conversion. The anti-conversion laws thus herein blatantly breach and desecrate the Right of the parties to get converted to other’s Religion on the basis of their own volition as it bars conversion for the sole purposes of their marriage<sup>35</sup>. And in furtherance, this would be tantamount to a succinct infraction of **Article 14 as**, like other people, interfaith couples would not be able to carry out their marriages like all other people that are normally thus underpinning their rights unreasonably which are already at the brink because of the entrenched anachronistic societal nature.

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<sup>33</sup> Justice K.S. Puttaswamy (Retd.) v Union of India AIR 2017 SC 4161

<sup>34</sup> Shafin Jahan vs Asokan K.M, AIR 2018 SC 1933

<sup>35</sup> Report No. 277, <https://lawcommissionofindia.nic.in/> (last visited on 28<sup>th</sup> November,2021)

Taking cognisance and recognising the peculiarity of the situation, Gujarat and Allahabad High Courts have watered down the provisions relating to inter-faith marriages in the anti-conversion laws of their states.<sup>36</sup>

### 5. Right to live with dignity – void marriage

By blatantly making the marriage **void ab initio** per se, if the conversion is done solely for the purpose of getting married will provide solace to the people who want to circumvent the law and will result in jeopardisation of the rights of vulnerable sections of the society that is the woman and children as the marriage would become per se void her will lead to the destitution and vagrancy of the same and will rob and throttle them of their agency and will be against the principle of **egalitarianism**<sup>37</sup>. Furthermore, children born of such marriages would have to bear the brunt.<sup>38</sup> This would be a **clear disenfranchisement of the Right of Article 14 and Article 21 of the vulnerable sections of the society.**

### 6. The burden of proof clause

The debacle of the legislation also emanates from the “burden of the proof clause”. The section<sup>39</sup> says that the burden of proof lies upon the person who has done the conversion to prove that it has not been done through unlawful means, thus **ascribing a presumption to all conversions as illegal at the first instance, which will propel the chances of it being misused** as by giving unfettered powers to the police authorities to arrest anyone and based on the presumption and to shrink their responsibility and thus will atrophy the entire objective of the Act too.

### 7. Reporting by anyone

Some of these even sanction the authority to the family members and the far related progeny of the person converted to report the incident to the police authorities. Thus, even if anyone far a related member of the person converted has a problem with it, he or she can report that to the police, which is per se **destroying the autonomy and berating their Right to choice and security**<sup>40</sup>. This also thus threatens the rights of an interfaith couple if they want to get married by doing conversion out of their own volition. And this will also lead to a barrage of so many

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<sup>36</sup> Jamiat Ulama-E-Hind Gujarat vs State Of Gujarat, AIR 2021, Mayra Alias Vaishnavi Vilas Shi shikar And Anr vs State of UP and Or's, AIR 2020

<sup>37</sup> Where everyone is entitled to equal laws and protection thereof.

<sup>38</sup> Justice Madan B Lokur (Retd), UP's anti-conversion law cannot be sustained, <https://indianexpress.com/article/india/ups-anti-conversion-law-cannot-be-sustained-contains-many-defects-says-ex-sc-judge-lokur-7115669/> (visited on 2<sup>nd</sup> January, 2022)

<sup>39</sup> Section 12, The Uttar Pradesh Prohibition of Unlawful Conversion of Religious Ordinance, 2020

<sup>40</sup> Id. at 17

frivolous and sham complaints. **As per recent reports, 10 out of 14 recent incidents, the kin of the person converted reported the issue**<sup>41</sup>

Thus this will shamble the concept of interfaith marriages, which were even regarded by the supreme court as the national interest <sup>42</sup>.

## VI. THE GOOD PART

1. The strict provisions of the legislative enactments can instil fear in the minds of people doing unlawful conversions and can ameliorate the stances of forced or illicit conversions.
2. The cognisance of the matter can only be taken by the sanction of the **District Magistrate or an officer not below the rank of Sub-Divisional Magistrate**, which can be said to be a little safe.
3. Most of these acts have a **stricter penalty for women, children and vulnerable sections** of the society, thus can help in deterring crimes against them.

## VII. CONCLUSION

Secularism is the vehicle that supplements cohesiveness in society by instilling mutual tolerance. It would not be righteous to endorse that the concept broached behind the enactment of anti-conversion laws is per se unconstitutional and worthless; however, the present laws outlaw the constitutional principles as rather than underscoring the concept of freedom of Religion, they end up undermining that and thus atrophying the objectives of the Act in entirety further squandering people's rights. The baffling interpretations may act as a germane to misuse and wrongful convictions, which India already is wanted too. The Country has been a key witness to communal riots, partition and thus tell-tale how sensitised the subject matter of Religion is, and thus there is a dire need to inculcate authorities and legislations that attribute to making it unflinching and not dubious in any manner whatsoever. The turbulence around these laws is justifiable as glaring inconsistencies in the Act emanate deterring people converting as per their volition and congregation of sham and bogus cases being reported by the family members or far distant relatives of converts or potential converts further resulting in self-aggrandisement of majoritarian religious communities thus ending up dwindling the entire concept of Secularism.

Rather than combating illicit conversions, they will end up being weaponised as a sentinel of

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<sup>41</sup>Shweta Valudhan, Anatomy of Anti Conversion Laws, <https://www.theleaflet.in/anatomy-of-anti-conversion-laws-part-i/> (last visited on 6<sup>th</sup> January, 2022)

<sup>42</sup>Lata Singh v. State of Uttar Pradesh, (2006) 5 S.C.C. 475.

hate against conversions being done as per volition, thus causing grave danger to the fundamental rights of people,<sup>43</sup> something to which even Article 25 is subjected. These Acts needs thus a large colossal of modifications, and that will only resurrect the aim for which actually these were crafted and inducted upon.

Also, there is a need to incorporate spirits of secularisation<sup>44</sup> into the younger generation's syllabus to bolster the concept and instil tolerance and harmony in their minds to not get mired into the political mudslinging disharmonising peace.

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<sup>43</sup>Communalism - Love Jihad, The Wire <https://m.thewire.in/article/communalism/muslim-teenager-in-up-arrested-under-love-jihad-law-for-walking-with-a-hindu-friend> (last visited on 7<sup>th</sup> January 2022)

<sup>44</sup> Ms. Aruna Roy And Others vs Union Of India, AIR 2002 SC 3176