

Are there anti-superstition laws in India?

Are killings and deaths due to superstitious beliefs, black magic and sorcery still prevalent in the country? Is there a pan-India law which deals exclusively with such occult-inspired activities?

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The story so far:

The brutal murders of two women as part of “ritualistic human sacrifices” in the Pathanamthitta district of Kerala have left the country in shock. Chilling details of the killings have sparked a debate about the prevalence of superstitious beliefs, black magic and sorcery in Kerala. In the absence of a comprehensive law to counter such acts, the call for a strict anti-superstition law has grown louder.

Are such killings common?

As per the 2021 report of the National Crime Records Bureau (NCRB), six deaths were linked to human sacrifices, while witchcraft was the motive for 68 killings. The maximum number of witchcraft cases were reported from Chhattisgarh

(20), followed by Madhya Pradesh (18) and Telangana (11). Kerala saw two cases of human sacrifice. In 2020, India saw 88 deaths due to witchcraft and 11 died as part of ‘human sacrifices’, the NCRB report states.

What are the laws in India?

In India, there is no central law that exclusively deals with crimes related to witchcraft, superstition, or occult-inspired activities. In the absence of a nationwide legislation, a few States have enacted laws to counter witchcraft and protect women from deadly ‘witch-hunting’.

Bihar was the first State to enact a law to prevent witchcraft, identification of a woman as a witch and “eliminate torture, humiliation and killing of women.” The Prevention of Witch (Daain) Practices Act came into force in October 1999. Anyone who identifies a person as a “witch” and

acts to aid this identification can face a jail term of up to three months, or a fine of ₹1,000, or both. A similar law was passed in Jharkhand in 2001 – the Prevention of Witch (Daain) Practices Act.

Even though Chhattisgarh is one of the worst-affected States in terms of witchcraft-related crimes, the State enacted the Chhattisgarh Tonahi (witch) Pratadna Nivaran Act only in 2005. As per the law, a person convicted for identifying someone as a witch can be sentenced to up to three years of rigorous imprisonment with a fine.

Following the directions of the Odisha High Court to frame a law to deal with rising cases of witch-hunting in the State, the Odisha Prevention of Witch-Hunting Bill was passed by the Assembly in 2013. The bill provides penalties for a witch doctor, or a person claiming to be a black magician.

In Maharashtra, the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013 was passed after the murder of anti-superstition activist Dr. Narendra Dabholkar. Rajasthan enacted the Rajasthan Prevention of Witch-Hunting Act in 2015 to “provide for effective measures to tackle the menace of witch-hunting and prevent the practice of witchcraft.”

The Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015, which received the President’s assent in 2018, prohibits witch hunting completely. “No person shall identify, call, stigmatise, defame or accuse any other person as witch by words, or by signs or indications or by conducts or actions or any other manner or instigate, aid or abet such an act or commit witch hunting,” the law states.

The latest law was passed in Karnataka where the Karnataka Prevention and Eradication of Inhuman Evil Practices and Black Magic Act, 2017 came into effect in January 2020 after it was notified by the BJP government – which initially opposed it when it was the Opposition party. The law bans several practices related to black magic and superstition, like forcing a person to walk on fire at religious festivals and the practice of piercing rods from one side of the jaw to the other.

THE GIST

Chilling details of the killings of two women in Kerala have sparked a debate about the prevalence and power of superstitious beliefs in society.

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