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TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

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CHENNAI, MONDAY, DECEMBER 2, 2002
Karthigai 17, Chitrabhanu, Thiruvalluvar Aandu-2033

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 2nd December 2002 and is hereby published for general information:—

ACT No. 56 OF 2002.

An Act 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.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002.

Short title and
commencement.

(2) It shall be deemed to have come into force on the 5th day of October 2002.

2. In this Act, 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.

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 any such conversion.

Punishment for
contravention
of provisions
of section 3.

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 Scheduled Caste 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 one lakh rupees.

Intimation to be
given to
District
Magistrate
with respect to
conversion.

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.

Prosecution to be
made with the
sanction of
District
Magistrate.

6. No prosecution for an offence under this Act 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.

Power to make
rules.

7. (1) The State Government may make rules for the purpose of carrying out the provisions of this Act.

(2) Every rule made under this Act 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.

Repeal and
Saving.

8. (1) The Tamil Nadu Prohibition of Forcible Conversion of Religion Ordinance, 2002 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

(By order of the Governor)

A. KRISHNANKUTTY NAIR,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th June 2006 and is hereby published for general information :—

ACT No. 10 OF 2006

An Act to repeal the Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-seventh Year of the Republic of India as follows:—

Short title and
commence-
ment.

1. (1) This Act may be called the Tamil Nadu Prohibition of Forcible Conversion of Religion (Repeal) Act, 2006.

(2) It shall be deemed to have come into force on the 18th day of May 2004.

Repeal.

2. The Tamil Nadu Prohibition of Forcible Conversion of Religion Act, 2002 is hereby repealed.

Tamil Nadu
Act 56 of
2002.

(By order of the Governor.)

S. DHEENADHAYALAN,
Secretary to Government-in-charge,
Law Department.