



# UNITED CHRISTIAN FORUM

805/92, Deepali Building, Nehru Place, New Delhi – 110019 Tel: 1-800-208-4545

August 19, 2024

To,

Shrimati Anandiben Patel

Hon'ble Governor of Uttar Pradesh

Raj Bhawan

Lucknow, Uttar Pradesh

Subject: Memorandum pertaining to Concerns Regarding the Uttar Pradesh Prohibition of Unlawful Conversion of Religion (Amendment) Bill, 2024

1. This is to draw your attention to serious concerns about the Uttar Pradesh Prohibition of Unlawful Conversion of Religion (Amendment) Bill, 2024, which has garnered widespread attention due to its stringent measures against fraudulent or forced religious conversions.
2. A report titled *Criminalising Practice of Faith*<sup>1</sup> published by PUCL documented that police collude with Hindutva groups and turn a blind eye to offenses committed against Christians.
3. In a petition filed before the Supreme Court of India, calling for strict action against vigilante groups engaging in anti-Christian violence in India, the petitioners highlighted the correlation between increased violence and the enactment of the anti-conversion laws.<sup>2</sup>

#### **False complaints and Third-party complaints:**

4. The broad and ambiguous language of the Bill emboldens individuals and groups to target religious minorities under the pretext of preventing fraudulent conversions. The provision allowing "any person" to lodge a complaint widens the door to accusations driven by personal, political, or communal biases, leading to a wave of violence and harassment against these communities.

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<sup>1</sup>*Criminalizing the Practice of Faith* A report by PUCL Karnataka on the Hate Crimes on Christians in Karnataka, 2021, available at [https://counterviewfiles.wordpress.com/wp-content/uploads/2021/12/executive\\_summary\\_english.pdf](https://counterviewfiles.wordpress.com/wp-content/uploads/2021/12/executive_summary_english.pdf)

<sup>2</sup>*Rise in attacks on Christians coincides with enactment of anti-conversion laws, petitioners tell SC*, The Scroll, (May 9, 2023) available at <https://scroll.in/latest/1048835/rise-in-attacks-on-christians-coincides-with-enactment-of-anti-conversion-laws-petitioners-tell-sc>



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Article 14, a legal research and reportage group, analyzed over 100 FIRS filed under the anti-conversion law in the northern Indian state of Uttar Pradesh. Of these, 63 were registered after third-party complaints, including 26 from extremists groups.<sup>3</sup>

5. The terms used in the laws like “force, fraud, and allurement” are undefined, and are vague. For instance, any collective gathering of Christians is demonized and portrayed as an attempt to allure people to Christianity.<sup>4</sup>

Some such cases are outlined below:

- a. On November 29, 2023, in Sonbhadra, Uttar Pradesh, 22 individuals were apprehended by the police with arrests made across various police stations in the district. The charges against the pastors include allegations under the Uttar Pradesh Freedom of Religion Act, 2021 with a total of 42 individuals implicated in the FIR bearing number 0269/2023. The complainant's status as a **leader of a fundamentalist group** suggests that the FIR against the 42 pastors is driven by motives. The copy of the said FIR is annexed here as **AnnexureA1**.
- b. On July 30, 2022, **six Dalit women** were arrested in Azamgarh, Uttar Pradesh while celebrating a child's birthday – the son of one of the ladies. Local extremists witnessed the congregants praying for the child and reported it as an event where forced conversion was being carried out. All six women were booked under the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021. The copy of the said FIR bearing number 0286/2022 is annexed here as **Annexure A2**.

## Police Complicity and Failure to Verify the Veracity of The Incident

6. Existing criminal laws already address fraud, coercion, or force, yet the Bill imposes disproportionately severe penalties under the guise of preventing unlawful conversions.
7. Researchers have documented how the anti-conversion laws have been weaponized to target religious minorities. False cases linger for many years, and the police and mob

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<sup>3</sup>A. Kumar, Hindutva Groups Are Misusing UP's Anti-Conversion Law, As Police Register Cases With No Legal Standing, Article14, (October 11, 2023) available at <https://article-14.com/post/hindutva-groups-are-misusing-up-s-anti-conversion-law-as-police-register-cases-with-no-legal-standing--65260e4c5987e>

<sup>4</sup><https://caravanmagazine.in/religion/the-uttar-pradesh-police-and-sanghs-persecution-of-christians>



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brutality against Christians accused under the anti-conversion laws<sup>5</sup> and growing legal costs all result in undue violation of the right to life and liberty<sup>6</sup>.

Some such cases are outlined below:

- c. On August 20, 2023, Santosh Nishad from Maharajganj District in Uttar Pradesh was hosting a prayer gathering and get-together at his house when a group of approximately 10 individuals trespassed his property and physically assaulted him, accusing him of engaging in fraudulent religious conversions. On the evening of August 21, Pastor Santosh was taken into custody at the Nichloul police station. An FIR bearing number 0410/2023 was registered under IPC sections 323 and 506 and the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 leading to his imprisonment.

In this case, **the complainant testified before the Maharajganj Sessions Court that he had been coerced into filing the complaint against Santosh Nishad.** Copies of the FIR and the complainant's testimony are annexed here as **AnnexuresA3** and **A4**, respectively, illustrating how the FIR was lodged under duress.

- d. On November 23, 2022, a complaint was lodged in the Azamgarh district of Uttar Pradesh, alleging fraudulent religious conversions by Prashant Singh as the complainant, who claims to be a leader of the Bajrang Dal. As a result, an FIR bearing number 0370/2022 was registered under the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, naming Harkharam and Achhelal as the accused. Achhelal Rahi was subsequently placed in judicial custody on November 24, 2022. Notably, **Harkharam, one of the accused in the FIR, had passed away 12 years earlier.** Copies of the FIR and Harkharam's death certificate are annexed as **AnnexuresA5** and **A6**, respectively.
- e. On September 10, 2023, in a quiet village in Azamgarh, Uttar Pradesh, a prayer meeting was abruptly interrupted when a neighbor falsely accused them of religious conversion. The police swiftly arrested Brijesh, Parmeshwar, and Poonam Yadav, the wife of Brijesh Yadav. Tragically, Poonam, who was three months pregnant, was taken into custody along with her innocent one-year-old daughter. The trauma of a young mother, bearing new life, and a helpless child being confined to a jail cell is deeply concerning and highlights a severe miscarriage of justice. They were all charged under the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 and the FIR bearing number 0397/2023 has been annexed herewith as **Annexure A7**.
- f. On June 23, 2024, Sarju Prasad was illegally detained for almost 48 hours without the registration of an FIR when a prayer gathering at his home was disrupted in Ayodhya,

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<sup>5</sup>O. Rashid, Free Books and Classes: Behind UP Police's 'Conversion' Arrests of South Indian-Origin Social Workers, The Wire (December 15, 2023) available at <https://thewire.in/government/uttar-pradesh-police-religious-conversion-south-india>

<sup>6</sup>S. Landrin, Hindu extremists ruthlessly hunt down Christians in India, Le Monde, (January 6, 2024) available at [https://www.lemonde.fr/en/international/article/2024/01/06/hindu-extremists-ruthlessly-hunt-down-christians-in-india\\_6406265\\_4.html#](https://www.lemonde.fr/en/international/article/2024/01/06/hindu-extremists-ruthlessly-hunt-down-christians-in-india_6406265_4.html#)



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Uttar Pradesh, by journalists alleging fraudulent religious conversions by the police. The two online complaints were filed alerting the police regarding this **illegal detention**, accompanied by tweets addressing the police regarding this incident. An FIR bearing number 0206/2024 at Police Station Cantt. under the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 was subsequently filed against him on June 26, 2024, and was subsequently arrested and has been in judicial custody since then.

A copy of the above-mentioned complaints has been annexed here as **Annexures A8 and A9**.

The instances outlined above illustrate the detrimental impact of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion (Amendment) Bill, 2024, and the existing anti-conversion law on religious minorities. These cases highlight how the legislation has been weaponized to target innocent individuals leading to unwarranted violence and harassment. To address these grave concerns and mitigate further harm, it is essential to implement the following recommendations

## Recommendations:

- a. **Repeal the Existing Anti-Conversion Law:** It is imperative to repeal the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, due to its extensive misuse and detrimental impact on religious minorities.
- b. **Suspend the 2024 Amendment Bill:** The Uttar Pradesh Prohibition of Unlawful Conversion of Religion (Amendment) Bill, 2024, should be suspended in its current form. The Bill's provisions, particularly those imposing draconian penalties and permitting third-party complaints, are likely to intensify the risk of false accusations and violence against religious minorities.
- c. **Strengthen Training for the Police and Judicial Officers:** Enforce comprehensive training programs for police personnel and judicial officers focused on safeguarding religious freedoms, handling complaints ethically, and conducting unbiased investigations.
- d. **Support Victims of False Complaints:** Establish support systems for individuals wrongfully accused, including legal assistance and psychological counseling, to mitigate the trauma and financial impact of such actions.
- e. **Strengthening Community Relations:** To focus on initiatives that strengthen community relations and promote tolerance among different religious groups, rather than exacerbating tensions through punitive legislation.
- f. **Public Awareness and Education:** The Government should prioritize public awareness campaigns to educate citizens about the constitutional rights related to religious freedom and the importance of respecting diversity.



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The implementation of these recommendations is crucial and will significantly contribute to fostering peace and tolerance in the country and safeguarding the rights and dignity of the Christian community in India.

Thank you for your attention to this pressing issue.

Sincerely,