

Bill No. LXXXVIII of 2024

**THE PREVENTION OF BLACK MAGIC, WITCH-
HUNTING AND SUPERSTITIOUS PRACTICES
BILL, 2024**

A

BILL

*to provide for the prohibition, prevention, and eradication of black
magic, witch-hunting and superstitious practices, and to
protect individuals from exploitation and harm caused
by such practices with harsh penalties and strict
enforcement mechanisms and for matters
connected therewith or
incidental thereto.*

*WHEREAS it is expedient to prevent and eradicate inhuman and exploitative
practices such as black magic, witch-hunting, human sacrifice, and other
superstitious rituals that affect the dignity, safety, and welfare of individuals,
especially women, children, and marginalised communities;*

*AND WHEREAS such practices continue to exist in various parts of country,
causing physical and mental harm, often resulting in violence, exploitation,
ostracism, and in extreme cases, death.*

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of
India as follows:—

CHAPTER I

PRELIMINARY

- 5 **1.** (1) This Act may be called the Prevention of Black Magic, Witch-
 Hunting, and Superstitious Practices Act, 2024.
- (2) It shall come into force on such date as the Central Government may,
 by notification in the Official Gazette, appoint.

Short title and
commencement

2. In this Act, unless the context otherwise requires —

(a) “appropriate Government” means in the case of a State, the Government of that State; in the case of a Union Territory, the Union Territory Administration and in all other cases, the Central Government; 5

(b) “black magic” means any practice, ritual, or act involving the invocation or use of supernatural powers, occult techniques, or mystical beliefs performed with the intent to harm, exploit any person physically, mentally, or financially, instill fear, coercion, or intimidation in any person or manipulate others by claiming to possess unnatural or mystical abilities or by use of spells, curses, or other alleged paranormal methods to achieve such ends; 10

(c) “Fund” means Victim Compensation Fund established under section 17 of the Act; 15

(d) “human sacrifice” means the killing of a human being or the mutilation or amputation of any part of the human body, as part of any ritual aimed at invoking supernatural powers;

(e) “inhuman practices” means any act that causes physical or mental suffering to an individual in the name of black magic, witch-hunting, or superstitions; 20

(f) “prescribed” means prescribed in the rules framed under this Act;

(g) “Register” means the National Register of Offenders to be maintained under section 15 of this Act; 25

(h) “repeat offender” means a person who, during any continuous period of prescribed years, whether before or after the commencement of this Act, has been convicted and sentenced to imprisonment more than once on account of any one or more of the offences under this Act committed on different occasions and not constituting parts of same transaction; and who has, as a result of such convictions, suffered imprisonments at least for a prescribed period of time. 30

Explanation.—A conviction which has been set aside in appeal or revision and any imprisonment suffered in connection there with shall not be taken into account for the above purpose; 35

(i) “superstitious practice” means any act, ritual, or practice performed based on irrational beliefs that cause harm, violence, exploitation, or deprivation of basic human rights or falsely claiming the ability to cure ailments through supernatural powers; 40

(j) “Task Force” means the Special Enforcement Task Force established under section 12 of this Act; and

(k) “witch-hunting” means accusations and acts of persecution, including physical or mental abuse, against an individual, especially women, on the grounds of alleged witchcraft or supernatural abilities. 45

CHAPTER II

PROHIBITION OF BLACK MAGIC AND WITCH-HUNTING

3. (1) No person shall promote, perform, or propagate black magic or superstitious practice that: 50

(a) exploits, deceives, or harms any individual or group of individuals; or

(b) is detrimental to public health or safety.

(2) Without prejudice to the generality of sub-section (1), the following acts are hereby prohibited:

5 (a) the invocation of supernatural powers through human sacrifice, ritual mutilation, or any other inhuman or degrading act, whether for personal or communal gain; and

(b) any practice or ritual that involves physical or mental torture, endangers human life, or violates human dignity.

10 4. (1) No person shall, by words, gestures, or any other means, accuse any individual of being a witch or practice any act of witch-hunting, including but not limited to:

Prohibition of Witch-Hunting.

(a) subjecting such individual to violence or torture, whether physical or mental; or

15 (b) subjecting such individual to discrimination, social ostracism, or public humiliation; or

(c) engaging in defamation or acts that harm the dignity or reputation of such individual.

(2) Without prejudice to the generality of sub-section (1), the following acts are hereby prohibited:

20 (a) branding any person as a witch through rituals, ceremonies, or any symbolic acts;

(b) performing exorcism or any such practice involving physical harm, torture, or coercion of any individual; and

25 (c) organizing, inciting, or participating in public or private acts of humiliation or endangering the life, dignity or reputation of any individual in the name of witch-hunting.

30 5. (1) No person shall, by any means of communication, including advertisements, promotions, or public announcements—whether in print, electronic, or digital form—claim or propagate the possession of supernatural abilities for:

Prohibition of false or misleading advertisements claiming supernatural abilities, magical remedies or black magic.

(a) healing ailments or curing diseases; or

(b) exorcising spirits or entities; or

(c) achieving any physical, mental, or spiritual outcome through occult practices.

35 (2) Any misleading advertisement or any other form of communication, either in print, electronic or digital form related to magical remedy or black magic shall be deemed to be an offence under this Act and shall be liable to such punishment as provided under this Act.

CHAPTER III

40 PENALTIES AND PUNISHMENTS

45 6. Whoever contravenes the provisions of section 3 shall be punished with imprisonment of either description for a term which may extend up to ten years and with fine, which shall not be less than one lakh rupees, and for any subsequent contravention with imprisonment of either description for a term which shall not be less than fifteen years and with a fine of five lakh rupees.

Punishment for Black Magic and Superstitious Practices.

7. Whoever contravenes the provisions of section 4 shall be punished with imprisonment of either description for a term which shall not be less than ten years and with fine, which shall not be less than five lakh rupees:

Punishment for Witch-Hunting.

Provided that if the act of witch-hunting results in grievous harm or death of any person(s), the person shall be punished with death or imprisonment for life and shall also be liable to fine.

Punishment for Human Sacrifice.	8.	Whoever performs, participates in, abets, or facilitates an act of human sacrifice shall be punished with death or imprisonment for life and shall also be liable to fine, which shall not be less than ten lakh rupees.	5
Punishment for abetment and attempt.	9.	Whoever is found guilty of abetting or aiding the principal offender in committing or attempting to commit the offences under this Act, shall be liable for the same punishment as provided for that offence under the relevant provisions of this Act.	10
Public Shaming and Ostracism.	10.	Any person or group of persons, who publicly shames, humiliates, or ostracizes any individual on accusations of practice of black magic, witchcraft, or any superstitious practice shall be punished with imprisonment for a term, which shall not be less than five years, but which may extend up to seven years, and with fine, which shall not be less than one lakh rupees.	15
Offences to be cognizable, non-bailable and non-compoundable.	11.	Notwithstanding anything contained in any other law for the time being in force, every offence under this Act shall be cognizable, non-bailable and non-compoundable, except otherwise decided under exceptional circumstances by the Special Court so designated under section 13.	20

CHAPTER IV

SPECIAL ENFORCEMENT TASK FORCE

Establishment of Special Enforcement Task Force.	12.	<p>(1) The Central Government shall, by notification in the Official Gazette, establish a Special Enforcement Task Force, under the administrative control of the Ministry of Home Affairs, to monitor and investigate cases related to black magic, witch-hunting, superstitious practice and other offences under the Act.</p> <p>(2) The Task Force shall have the power to conduct raids, collect evidence, and arrest individuals involved in offences under this Act and exercise such powers and perform such other functions and duties, as may be prescribed.</p> <p>(3) The Task Force shall consist of such number of law enforcement officers, forensic experts, and representatives from human rights organizations, to be appointed by the Central Government in such manner, as may be prescribed.</p> <p>(4) The method of recruitment, qualifications and experience, salaries and allowances payable to and other terms and conditions of service of the persons appointed under sub-section (3) shall be such as may be prescribed.</p>	25
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CHAPTER V

SPECIAL COURT

Designation of a court as Special Court.	13.	<p>(1) The appropriate Government shall, in consultation with the Chief Justice of the High Court, by notification in the Official Gazette, designate for each district, a Court of Session to be a Special Court for the purposes of providing a speedy trial on matters arising out of crimes or offences committed under this Act.</p> <p>(2) Every Special Court designated under this Act shall follow the same procedure and have the same powers to hold any inquiry as are vested in a civil court under the Code of Civil Procedure, 1908 and in a criminal court under the Bharatiya Nagarik Suraksha Sanhita, 2023.</p>	45
			50

5 of 1908
46 of 2023

46 of 2023.		(3) Save as otherwise provided in this Act, the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (including the provisions as to bail and bonds) shall apply to the proceedings before a Special Court and for the purposes of the said provisions, the Special Court shall be deemed to be a Court of Sessions and the person conducting a prosecution before a Special Court, shall be deemed to be a Public Prosecutor.	
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46 of 2023.		(4) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, an appeal shall lie as a matter of right from any judgment, sentence or order, not being interlocutory order, of a Special Court to the High Court both on facts and on law, in a manner and within such time as may be prescribed.	
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		(5) The appropriate Government shall in order to ensure speedy trial and disposal of cases under this Act, ensure that every trial proceeding before the Special Court and every appeal under this Act is disposed of within such period, as may be prescribed.	
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		14. (1) The appropriate Government shall, by notification in the Official Gazette, appoint a Special Public Prosecutor for every Special Court, from amongst advocates with such number of years of practice, as may be prescribed, for conducting cases only under the provisions of this Act.	Special Public Prosecutor.
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46 of 2023		(2) Every person appointed as a Special Public Prosecutor under this section shall be deemed to be a Public Prosecutor within the meaning of clause (v) of sub-section (1) of section 2 of the Bharatiya Nyaya Sanhita, 2023 and the provision of that Sanhita shall have effect accordingly.	
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		15. (1) The Task Force established under section 12 shall maintain a National Register of Offenders containing details of individuals convicted under the provisions of this Act, in such form and manner as may be prescribed.	National Register of Offenders.
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47 of 2023.		(2) The Register shall be a public document, under section 74 of the Bharatiya Sakshya Adhiniyam, 2023 and shall be published on the website of the Task Force, in such form and manner as may be prescribed.	
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		(3) The repeat offenders shall be placed under surveillance by the Task Force, and their activities shall be monitored by the local authorities and reported to the Task Force from time to time.	

CHAPTER VI

PROTECTION AND REHABILITATION OF VICTIMS

40	16. (1) Every victim of black magic, witch-hunting, and superstitious practices or any of the crimes and offences under this Act shall be provided with immediate protection under the Witness Protection Scheme, 2018, including relocation and identity protection or as per directions or guidelines as may be prescribed.	Protection of victims and whistleblowers.
45	(2) Any whistleblower who, provides information or report crimes and offences under this Act leading to the arrest of the offenders shall be granted protection from retaliation in any form and manner, in such manner as may be prescribed:	
50	Provided that any person(s) found guilty of issuing any threat or trying to harm or endanger, any whistleblower or their family members or property shall be punished with imprisonment for a term which shall not be less than seven years.	

Victim
Compensation
Fund and
compensation
for victims.

17. (1) The Central Government shall, by notification in the Official Gazette, establish a Fund to be called as the Victim Compensation Fund, which shall provide financial assistance and compensation to victims of black magic, witch-hunting, and other offences under this Act.

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(2) The Fund shall be applied by the Central Government to meet the expenditure incurred in connection with granting of compensation to the victim or the family of the victim, as follows,—

(a) Every victim who has suffered physical or mental harm as a result of any crime or offence under the Act, shall be entitled to receive compensation, which shall not be less than five lakh rupees.

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(b) In the event of death resulting from any crime or offence under the Act, the family of the deceased victim shall be entitled to receive a compensation of ten lakh rupees, from the fund.

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(3) The procedure, mode and manner of disbursement of compensation under this section shall be such as may be prescribed by the Central Government.

Rehabilitation
of victims.

18. (1) The appropriate Government shall provide long term-rehabilitation support to the victim of any of the offences under this Act, including medical treatment, psychological counselling, and legal aid under the Legal Services Authorities Act, 1987, in such manner as may be prescribed.

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39 of 1987.

(2) The appropriate Government shall establish and maintain such number of rehabilitation centers across all State, to provide support, specifically for victims of black magic, witch hunting and other superstitious practices, as may be prescribed.

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CHAPTER VII

PREVENTION AND PUBLIC AWARENESS

Public
Awareness
Campaigns.

19. (1) The Central Government, in collaboration with the State Governments, shall launch a nationwide awareness campaign to educate citizens about the dangers of black magic, witch-hunting, and superstitious practice.

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(2) The media outlets, including television, radio, and digital platforms, shall be mandated to broadcast educational content on this subject.

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(3) Every School and educational institution shall be mandated to include modules on scientific reasoning, critical thinking, and the dangers of superstitious practices in their curriculum.

CHAPTER VIII

MISCELLANEOUS PROVISIONS

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Central
Government
to provide
funds.

20. The Central Government, shall from time to time, after due appropriation made by Parliament by law in this behalf, provide adequate funds, as may be necessary, for carrying out the purposes of this Act.

Protection of
action taken
in good faith.

21. No suit, prosecution or other legal proceedings shall lie against the Government or any officer or authority of the Government or any other person for anything which is in good faith done or intended to be done under this Act.

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	22. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty.	Power to remove difficulties.
5	(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.	
	23. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Act shall have overriding effect on the provisions of any such law to the extent of the inconsistency.	Act not in derogation of any other law.
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	24. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.	Power to make Rules.
15	(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree 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.	
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STATEMENT OF OBJECTS AND REASONS

The Prevention of Black Magic, Witch-Hunting, and Superstitious Practices Bill, 2024, seeks to address the serious social issues stemming from the prevalence of black magic, witch-hunting, and superstitious practices, which undermine rational thought and contribute to human rights violations, particularly against vulnerable groups such as women and the marginalised communities. These practices often result in violence, social discrimination, and exploitation, fuelled by ignorance and fear. The Bill aims to prohibit and criminalise these harmful actions, establish protections for targeted individuals, promote awareness and education to combat misinformation and create support mechanisms for victims. Ultimately, this legislation aspires to foster a safer, more equitable society that values reason and dignity over superstition and fear.

Hence this Bill.

SANJEEV ARORA

FINANCIAL MEMORANDUM

Clause 12 of the Bill provides for the establishment of a Special Enforcement Task Force with such number of law enforcement officers, forensic experts, and representatives from human rights organizations to monitor and investigate cases related to black magic, witch-hunting, superstitious practices and other offences under the Bill and also provides for the salaries and allowances payable to them and other terms and conditions of their service. Clause 16 provides for the protection of victims of offences under the Act and their next of kin under the Witness Compensation Scheme including relocation and identity protection and for the protection of whistleblowers against retaliation from the offenders. Clause 17 of the Bill provides for the establishment of a Victim Compensation Fund for the purpose of providing financial assistance and compensation to victims of black magic, witch-hunting, and other related crimes under this Bill. Clause 18 provides for the rehabilitation, including medical treatment, psychological counselling, and legal aid to the victims of crimes and offences under the Bill and for the establishment of rehabilitation centres for victims across all States to provide support to the victims. Clause 19 of the Bill provides that the Central Government, in collaboration with the State Governments, shall launch a nationwide awareness campaign to educate citizens about the dangers of black magic, witch-hunting, and other superstitious practices. Clause 20 provides that the Central Government shall provide adequate funds, as may be necessary, for carrying out the purposes of this Act.

The Bill, therefore, if enacted will involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is difficult to estimate the exact expenditure likely to be involved at this juncture.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 22 of the Bill empowers the Central Government make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill. Clause 23 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill.

As the matters in respect of which rules or orders may be made are matters of procedure and administrative detail only, the delegation of legislative power is, therefore, of a normal character.

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(Shri Sanjeev Arora, M.P.)