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With this thought, we hereby present to you

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# **An Attempt to** **Understand the** **Impact of Anti-** **Superstition Laws**

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## **An Attempt to Understand the Impact of Anti-Superstition Laws**

*By: Soham Banerjee*

Superstition is one the biggest curses that I believe humans have borne over ages. Even in this modern society we find instances of inhumane behavior also, some very immoral and unacceptable acts that happen just because of our false beliefs and desires. Each year many innocent people lose their lives to this activity just for the sake of some misconceptions that we grow in our minds. It is necessary to understand that no religion allows any kind of activity that harms others, even some scriptures warn people that thinking bad about others may throw you in trouble; after all we are the most intelligent creatures on earth and therefore a sense of rational thinking and humane actions are always expected from us for a healthy society. Hence, even in this modern technological age we find the necessity of these kind of laws and one such law is the **Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013**<sup>1</sup>

**Article 19** of the Indian Constitution empowers its citizens with freedoms of speech, expression, press, assembly, association, movement, residence, practice of profession and occupation or business. However, when actions which affect these freedoms occur that too in a civilized society like ours a question arises frequently are we unable to understand the basic facilities provided by this article or are we ignorant even after knowing the facts? We are free to follow religion of our choice but that doesn't mean that we can follow something which isn't beneficial for the individual as well as the society, like superstitions, the more we entertain it, the more it influences our activities and then our individual lust, greed and other negative feelings make us prone to commit a crime either by oneself or through someone who claims to be professional in it, although the incidents that follow are forms of some very inhumane,

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<sup>1</sup> [https://en.wikipedia.org/wiki/Anti-Superstition\\_and\\_Black\\_Magic\\_Act#:~:text=The%20Maharashtra%20Prevention%20and%20Eradication,Nirmoolan%20Samiti%20\(MANS\)%2C%20Narendra](https://en.wikipedia.org/wiki/Anti-Superstition_and_Black_Magic_Act#:~:text=The%20Maharashtra%20Prevention%20and%20Eradication,Nirmoolan%20Samiti%20(MANS)%2C%20Narendra)

unexpected and heinous crime that victimizes the innocent for someone else. Here, I believe that both the freedom of practice of profession & occupation or, business is misunderstood and misinterpreted for personal benefit affecting the society at large, these persons with fraudulent and devilish intentions can go up to any extent to fulfill their desires. Though there is the presence of **Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954** still we have significantly failed to curb the crimes with respect to this platform of superstition, black magic and various evil practices.

There are many who believe in easy money, elimination of enemies and revenge from someone, these factors create an opportunity for the criminals who use fraud and other malpractices to extort and in his process force the person to indulge in various inhumane practices, which may involve anything from sexual harassment to human sacrifice. Therefore, the **Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013** serves as a landmark to curb and reduce the various evils of our society and In the lines of the Maharashtra Anti-Superstition and Black Magic Act, the state of Karnataka also passed the bill in 2017 was notified in 2020. The scope of this law needs to be improved so that we can expand this to the aggrieved States as well as the Nation at large.<sup>2</sup>

The anti-superstition laws claim to prevent any form of activities that involve activities such as ingestion of human excreta, advertising false claims on performing miracles, accusing an innocent of practicing black magic or evil practices, claiming of curing a seriously affected patient with supernatural powers, human sacrifice for earning a huge amount of money and many other aspects like considering an insane person to have magical powers and use them for benefit, harass someone or a family with the use of black magic etc.

As per the NCRB statistics it is seen that for the year 2019 around 10 cases of child/human sacrifice has been observed as a motive for the murder in the states of Andhra Pradesh, Assam, Bihar, Karnataka, Kerala, Tamil Nadu and Uttar Pradesh. Though the state of Karnataka has a law with regard to this yet we see a case as per the NCRB report 2019 and the rest of the above mentioned states have one case each except for the state of Bihar which has registered a total

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<sup>2</sup> <https://blog.ipleaders.in/antisuperstition/>



of 4 cases. Hence, it is evident that people are still falling into the hands of fraudulent people and they are unable to understand the importance of this matter. Further, in absence of strict laws we observe continuity in these types of cases. As more and more people are falling into these traps, we lose an innocent life each time especially the women and children who are either sacrificed for personal gain or accused of practicing black magic by others, some claim to earn money overnight, while some perform fraudulent magic like things to extort from their victims.<sup>3</sup>

It is high time that we understand the difference between blind faith and pure faith, no religion in this world preaches us to harm others rather it is always expected that we do good to others, live in harmony, perform good practices and encourage the practice of scientific understanding amongst ourselves. Nothing can happen without hard work and therefore it is baseless to entertain superstitions in our minds. Stricter laws are required to curb this menace and put an end to these inhumane and derogatory practices for the welfare of all in this country.

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<sup>3</sup> <https://ncrb.gov.in/sites/default/files/CII%202019%20Volume%201.pdf>

## **REFERENCES**

1. MAHARASHTRA PREVENTION AND ERADICATION OF HUMAN SACRIFICE AND OTHER INHUMAN, EVIL AND AGHORI PRACTICES AND BLACK MAGIC ACT, 2013.
2. DRUGS AND MAGIC REMEDIES (OBJECTIONABLE ADVERTISEMENTS) ACT, 1954
3. THE CONSTITUTION OF INDIA, 1955
4. WEBSITE OF NATIONAL CRIME RECORDS BUREAU
5. INDIAN POLITY BY M. LAXMIKANTH
6. INDIAN CONSTITUTION BY DR. D.D. BASU

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