

## Anti-Superstition Laws: Bringing Reforms to the Nation

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**Abstract:** This research paper addresses the widespread effect of superstitions, black magic, and witchcraft in society, looking at their historical endurance and current relevance. The study emphasises the absurdity and potential danger of such beliefs, which, despite advances in education and science, continue to affect both rural and urban populations. The study emphasises the importance of cultural legacy and community standards in sustaining these behaviours, which exploit the vulnerable and can have serious physical, emotional, and financial consequences. It also examines the legislative structures in various Indian states geared at combating these activities, evaluating their efficiency and advocating for a single national law. It aims to cover the belief in things that are illogical and people still continue to believe in it. Anti-superstition legislation is essential in the legal armoury against irrational activities that imperil lives and societal well-being. The study delves deeper into the complicated interplay between education and superstition, arguing that increasing knowledge and rational thinking can minimise the negative effects of these long-standing traditions. The study argues for a comprehensive approach that combines legal, educational, and social tactics to resist the power of superstitions and safeguard vulnerable sectors of society from exploitation and harm.

**Keywords:** *Superstition, Black Magic, Magical Remedies and Legal aspect.*

### 1. Introduction

The expression "superstition" is widely used these days, and everyone in society at large understands exactly what it represents. However, to shed some light on the term, it refers to a belief in something that is illogical, non-existent, and devoid of any physical attributes; all in all, it is essentially a disbelief.<sup>1</sup> Strong evidence in this area has been provided by history because these kinds of activities have been based on the beliefs of more established social groups. Superstition, witchcraft, and black magic are all irrational and dangerous beliefs that

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<sup>1</sup> Need of Anti-Superstition Law, ( NextIAS October 31 2022) <<https://www.nextias.com/ca/current-affairs/31-10-2022/need-of-anti-superstition-law#:~:text=Violation%20of%20fundamental%20rights%3A%20Witch,21%20of%20the%20Indian%20Constitution.>> accessed on 2 March 2024.

cause physical and mental harm in society. Such behaviours are also popular all over the world.

Superstitions have always played an important role in moulding cultures and communities, influencing anything from personal daily routines to large-scale architectural decisions. Many of these ideas are based on ancient traditions or faiths, and they may survive despite scientific conflicts. While some individuals regard superstitions as harmless or unusual customs, others feel they can impact real-world results or reflect deeply ingrained societal standards. Typically, if we look back in time, our grandparents and grandmothers played a critical role in making these ridiculous things a permanent part of our society, which has an effect on today's world as well. These ideas, which originated with our elders, have caused our Indian society to consider and even accept actions that have no basis in reality. People in our society even hold these beliefs because they believe that the stories passed down from our elders are accurate in all circumstances and do not conflict with the general welfare. However, it is important to note that our elders who began to hold such disbeliefs have long since passed away, but similar thinking and practices continue to exist in our country in the modern era.

Nonetheless, while considering the bigger picture, we must acknowledge that our nation is home to those who lack common sense and participate in such ludicrous activities. Our culture has made a great deal of room for superstitions, and people continue to practise them despite reason telling them otherwise and the fact that they have no place in the modern world and should be eliminated because they provide no benefits.

When light is shed on some of the most fundamental superstitions, we may see that they are equally absurd.

- 1) Avoid going through the area where a black cat has just crossed through, just because it is not seen as a good omen. I mean, what's even wrong with that right?
- 2) Avoid sitting beneath a sacred fig plant during night hours as spirits tend to repose there.

Living in this modern day with such a restricted mindset would not allow us to sustain ourselves. Superstitious practices have taken up so much area in our culture that we are unable to comprehend it. These practices are mainly found in the rural areas of our countries, where the majority of the population is uneducated. However, in recent times, these practices have become widespread and they can be found in the different cities of any nation. Apart from the uneducated people, the people who are educated are also so obsessed with these practices that they believe in them and practise them blindly.

Believing in someone is great, however, trusting someone blindly is not, because that can lead someone to the loss of their life and possessions. People who indulge in such frivolous activities exploit the deprived section so much that they will lose everything they possess and still not find a solution.

Now the question is, what kind of solution do they expect? What kinds of issues cause people to lose everything? What activities do such occultists carry out? Who exactly are these activists? Is there a law that punishes these occultists? Why are these activities done? Is there a valid reason for performing such activities? Are these acts constitutionally valid? Does education influence the performance of such activities? If there are no laws covering the subject, should a law be there that will suffice? What drove people to participate in these activities?

There are several questions that must be answered in detail, including all real discoveries, for the reason being this problem has evolved to such an extent where it demands control. If these actions are not regulated, there will be one day when it will inevitably escalate to the point, no one will be able to stop such activities.

There are various activities in the name of superstition that are being practised at large which are listed as follows:

- Sexually exploiting the women by leading them into a falsehood that they will be blessed with a male,
- Astrology in decision making,
- Magical or traditional healing practices,
- Fortune telling (influencing personal and financial decisions),
- Earning money by name of god in a religious ceremony (depiction of God's character in a human body),
- Killing of foetus inside a woman's womb,
- Child Marriages.
- Changing the sex of the unborn child inside a woman's womb,
- BALI- killing of humans or animals in the name of God,
- Existence of Witches (basically portraying that a divine spirit has portrayed a person),
- Performing Black Magic, and
- Having some Bad Star Cast due to which a woman/man is not able to get married.

The conduct listed above represent only a fragile bit of those carried out in society as a whole. These Superstitions live from the lowest of effects to the larger effects we do in life.

These conducts are generally carried out by fraudsters disguised as SADHU and TANTRIK. SADHUS are constantly discerned as travelling pious men who have abandoned the concrete world to shadow church. Their practices carry contemplation, yoga, and exact adherence to unsubstantial and ethical morals. They may live in cloisters combined to special religious orders, travel around the country, or reside alone.

TANTRIK are votaries of Tantra, a daedal system of fashions, practices, and unsubstantial gospel that seeks to unite the substance and unsubstantial realms. They fascinate in fashions aimed to harness unsubstantial, cosmic, and psychic dynamism in order to achieve enlightenment or special worldly-wise pretensions. The practice might carry daedal fashions, mantra chanting, and frequently disputatious solemnities that are constantly misinterpreted but strive to achieve advanced situations of mindfulness and unsubstantial independence. Sadhus and Tantriks don't have an endless position to catch their prey, therefore they constantly hunt for one. These individualities, going by the names of Sadhu and Tantrik, are professional sexual mockers who prey on others, especially women, in order to make plutocrats. These people are well-trained in their jobs and fluently exploit the most beggared parts of society. They lick all of the capacities of Black Magic during their training and come consequently complete at them so that people fall for them.

Superstitions are not limited to a particular faith, caste, or society. They are a part of many societies around the world and have nothing to do with literacy, education, or socioeconomic status. "The allure of the divine in the midst of life's uncertainties fuels superstition. Prof Ganesh Devy<sup>2</sup>, an accomplished writer, thinker, and linguist, describes it as "mental medicine for people gripped by fear."

## **2. Black Magic in India**

Black necromancy, frequently known as necromancy, is the use of preternatural authority for wrong and selfish motives, as well as wicked conditioning intended to ruin someone physically, emotionally, or financially. It can be done with the fatality's hair, clothes, a snap, or by gaping right into their eyes. Black necromancy, frequently known as necromancy, is the use of preternatural authority for wrong and tone-serving purposes, as well as the commission of terrible actions to pulverise another person's physical, internal, or fiscal well-being. Black necromancy isn't a new practice; it has been done for decades, and as a result,

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<sup>2</sup> Bala Chauhan, The State and the challenge of Superstitions (The New Indian Express 7 August 2023) <<https://www.newindianexpress.com/states/karnataka/2023/Aug/07/the-state-and-the-challenge-of-superstitions-2602692>> accessed on 2 March 2024.

we must exercise extreme caution during the Kalyug season, when you're girdled by many provisions. People come to fatalities of unsupported worries, bafflement, and luck setbacks due to black necromancy. India is a country with different religions and societies and superstitious conditioning involving black necromancy are veritably common or garden. When all sweats fail to keep wishes and solicitations alive, numerous people in India remain to resort to black necromancy and superstitious practices for mending and relief. Since the 16th and 17th centuries, black necromancy has evolved and its traces can be set up in numerous nations, piecemeal from India. These stripes of practices have a voluminous portion to play in Nepal, piecemeal from India.

Conditioning that carries Black Magic are:

- Tantrik fashions,
- Vashikaran,
- Jaran Maran,
- Poppet Magic,
- Curses and Hexes
- magic or message with Spirits,
- Creating and Energising Amulets or phylacteries,
- Use of Beast or mortal Body corridor in fashions,
- Charm Spells and Potions

It's important to note that black necromancy is unlawful and punishable under the Indian legit frame. numerous Indian countries have legislated ordinances against necromancy and black necromancy to combat gregarious immoralities related to these practices, similar as the Prevention and Abolition of Human Sacrifice Act of Maharashtra and Other Inhumane, satanic and Aghori Practices Act and Black Magic Law. Black necromancy's belief and practice are responsible for serious gregarious cases, similar as violence and suppression. Despite their frequency, rational juggernauts and motions persist in disobeying these superstitions by raising mindfulness of the inhospitable consequences they can have on

people.

### 3. Black Magic in Europe

Between the 1450 and 1700 announcement, there was wide belief in necromancy and witchery in Europe, allowing King James I of Scotland to rule amid panic of necromancy and fear among his people.<sup>3</sup> This resulted in the inhuman murder and death of thousands of its subjects. During this period, hex panics broadcast over Italy, Switzerland, Germany, and Scandinavia. Following the Reformation, both Catholics and Protestants in Europe hounded enchantresses. They killed numerous people, diminishing them as enchantresses, to punctuate the unholy and evil as the cause of uneasiness and dislocation. In 1532, Emperor Charles V issued the Constitutio Criminalis Carolina', which spoke that enchantresses that caused injury should be penalised by conflagration, whereas necromancy that caused no detriment should be penalised else. The Catholic Church supported hex hunts in Europe from the 15th to 18th centuries, but is now working out to promote justice for those indicted of necromancy, involving women and children. chroniclers frequently point to the 1610- 1630 period as the peak of necromancy exertion. In 1542, English law made necromancy a temporal crime by the Witchcraft Act. Germany also supported the revolution, along with King Louis XIV of France, who banned necromancy trials in his area.

### 4. Mayong the Land of Black Magic

A little village near Morigan quarter in Assam<sup>4</sup> is well- known for its black necromancy practices. This village is known as the land of tenebrous necromancy and necromancy. The wells of black necromancy in this area remain unknown. One myth is that a Nepalese king brought around necromancy to the Brahmaputra Valley and formed a little conglomerate. Anyhow, it may be accurate, though I am not sure if this is the accurate prospect, but it's true that this land is heavily told by tenebrous necromancy. People in Mayong still buy the same old myth and have eyeless faith to the point where they remain to achieve the same fashions. People buy that this is God's bestowal to them. People in the area don't work hard to achieve their pretensions; rather, they buy in necromancy to do so consequently. It's basically the

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<sup>3</sup> Julian Goodare, A royal obsession with black magic started Europe's most brutal witch hunts (National Geographic 17 October 2019) 2024)<<https://www.nationalgeographic.co.uk/history-and-civilisation/2019/10/royal-obsession-black-magic-started-europes-most-brutal-witch>> accessed on 4 March 2024.

<sup>4</sup> Assam: Exploring Mayong, the land of black magic and witchcraft, ( Timestravel March 8 2024) <<https://timesofindia.indiatimes.com/travel/destinations/assam-exploring-mayong-the-land-of-black-magic-and-witchcraft/articleshow/108321697.cms>> accessed on 4 March 2024.

country of vision.

## 5. Legislation in State

### Maharashtra

The state of Maharashtra has taken a major step against superstition by enacting the Maharashtra Prevention and Abolition of Human Sacrifice and Other Inhumane, Evil and Aghori Practices Act, popularly known as Act against superstition and black magic. In August 2013, the Black Magic Act, 2013 was introduced, which is a ground breaking measure to put an end to harmful practices associated with black magic and superstition.

The legislation was enacted after considerable advocacy and backing by rationalist groups and individuals, including the MANS, which is led by Dr. Narendra Dabholkar, a notable anti-superstition activist. On August 20, 2013, Narendra Dabholkar, the bill's creator and primary campaigner, was shot dead while out on a stroll. His death sparked protests, and triggered the swift passage of the law, which he had advocated for more than a decade<sup>5</sup>. This law aims to curb the danger of inhumane and evil practices and black magic, while increasing the awareness and safety of society against such evil practices. It criminalises a variety of superstitious activities, including human sacrifices, magical medicines, and other exploitative practices, providing the protection of society's most vulnerable members from exploitation disguised as religious or supernatural beliefs.

The law experienced various challenges and amendments over the years and was subject to criticism, particularly over its perceived consequences on religious freedom. Critics expressed fear that it would penalise genuine religious acts or beliefs. Proponents, including Dabholkar, have stated that the law only applies to fraudulent practices and has no bearing on personal religious views or behaviours that do not exploit or damage others.

Following Maharashtra's lead, other Indian states, such as Karnataka, have enacted similar legislation aimed at eliminating superstitions and safeguarding citizens from harmful activities based on irrational beliefs. These regulations are an important step in modernising the legal system in a way that preserves cultural traditions while protecting human rights and dignity.

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<sup>5</sup> Amruta Byatnal, Rationalist Dabholkar shot dead (The Hindu 20 August 2013) <<https://www.thehindu.com/news/national/other-states/rationalist-dabholkar-shot-dead/article5041138.ece?ref=relatedNews>> accessed on 5 March 2024.

## **Bihar**

Bihar was the first state to establish legislation to prohibit witchcraft, identify a woman as a witch, and "eliminate torture, humiliation, and killing of women." The Prevention of Witchcraft (Daain) Practices Act went into effect in October 1999. All offences under the Act are cognizable and not bailable.<sup>6</sup>

Kumar, a member of the Bal Kalyan Samiti, visits schools, colleges, and other institutions to rid pupils of superstitions and similar habits. He received the Rashtrapati Puraskar in 2009 from then-President APJ Abdul Kalam.<sup>7</sup>

## **Jharkhand**

Jharkhand passed a similar law in 2001, the Prevention of Witch (Daain) Practices Act. The law, however, has been ineffective. According to a document posted on the Jharkhand Police website, the Act "has not adequately prevented the identification and murder of women labelled as witches."

## **Chhattisgarh**

Chhattisgarh is one of the most vulnerable states in terms of witchcraft-related crimes and targeted violence against women. A witch is known as a "tonahi " in the state. In 2005, the state passed the Chhattisgarh Tonahi Pratadna Nivaran Act 2005, which is similar to the laws in Bihar and Jharkhand.

According to the legislation, anyone convicted of identifying someone as a witch faces up to three years in prison and a fine. If the victim is emotionally or physically tormented, the jail sentence can be up to five years.

## **Odisha**

The Odisha Prevention of Witch-Hunting Bill was passed by the Assembly in 2013 in response to the Odisha High Court's directive to enact legislation to address the state's increasing incidences of witch-hunting. The statute provides for up to seven years of imprisonment and a penalty for offenders. The measure also includes a penalty for witch doctors or those claiming to be black magicians.

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<sup>6</sup> 'Anti-Superstition Laws in India' (DrishtiIas 1 November 2022) <

<sup>7</sup> Rajesh Kumar Thakur, Bihar villager's mission to eradicate superstition tastes success (The New Indian Express 5 August 2021) <<https://www.newindianexpress.com/good-news/2021/Aug/05/bihar-villagers-mission-to-eradicate-superstition-tastes-success-2340434.html>> accessed on 6 March 2024.



## Rajasthan

The Rajasthan Prevention of Witch-Hunting Act of 2015 was adopted by the state to "provide for effective measures to tackle the menace of witch-hunting and prevent the practice of witchcraft." The legislation forbids witch-hunting and witchcraft.

## Assam

The Assam Witch Hunting (Prohibition, Prevention, and Protection) Act of 2015, which was signed into law by the President in 2018, prohibits witch hunting entirely. According to the legislation, "No person shall identify, call, stigmatise, defame or accuse any other person as a witch by words, behave in any other way, or provoke, support, or encourage such an act, or engage in witch hunting."<sup>8</sup>

## Karnataka

The Karnataka Prevention and Eradication of Inhuman Evil Practices and Black Magic Act, 2017 came into effect in January 2020. The law prohibits a variety of black magic and superstition activities, including forcing people to walk on fire at religious festivals and piercing rods from one side of the jaw to the other. The Act punishes superstitious behaviours, including black magic, for up to seven years and imposes a maximum punishment of Rs 50,000. The act also intends to raise social awareness and establish a healthy and safe social environment, as well as to designate vigilance officers to track the law's implementation.<sup>9</sup>

Some of these traditions survive in the state's hinterland, ranging from the upper caste providing food mixed with hair and nails to the Koaragas for the most dehumanising 'Ajalu' practice<sup>10</sup>, despite the Karnataka Koragas (Prohibition of Ajalu Practice) Act, 2000, to 'Sidi', animal sacrifices, and others. Koragas are classified as especially vulnerable tribal groups (PVTGs).

## 6. Magical Remedies and their Victims

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<sup>8</sup> Are there any Anti-Superstition Laws in India, (Civildaily October 31 2022) <<https://www.civildaily.com/news/superstition/#:~:text=No%20central%20law%3A%20In%20India,%2C%20or%20occult%2Dinspired%20activities.>> accessed on 6 March 2024

<sup>9</sup> Press Trust of India, Anti-Superstition Law comes into force in Karnataka; Act bans black magic, but exempts body stamping with 'gold seals' (Firstpost 23 January 2020) <<https://www.firstpost.com/india/anti-superstition-law-comes-into-force-in-karnataka-act-bans-black-magic-but-exempts-body-stamping-with-gold-seals-7946911.html>> accessed on 8 March 2024.

<sup>10</sup> Bala Chauhan, The State and the challenge of Superstitions (The New Indian Express 7 August 2023) <<https://www.newindianexpress.com/states/karnataka/2023/Aug/07/the-state-and-the-challenge-of-superstitions-2602692>> accessed on 8th March 2024.

As previously stated, magical remedies cause one person's soul to take control of another. It refers to a man who is directing another soul at the same moment, separate from his own. Popular magical treatments are typically based on deep-seated superstitions and are promoted by people who claim to have supernatural healing, transformation, or influencing abilities. These cures may include mixtures or rituals claiming to cure illnesses, amulets or charms said to bring prosperity or love, and spells or incantations intended to change personal or environmental situations. Victims of these practices are often those in vulnerable situations—individuals dealing with serious health concerns, financial distress, relationship troubles, or societal pressures—who, in their despair, resort to these so-called treatments in the hopes of finding a solution.

They are frequently encouraged to believe in the efficacy of magical medicines as a result of cultural traditions, societal endorsements, or manipulation by persons claiming to possess supernatural abilities. As a result, the needy and hopeful become perfect targets for exploitation through such activities.

A sorcerer can cast diseases on victims, and a male or female posing as a sorcerer performs rituals to afflict, even kill, their victims. The goal is to seize the goods of life, which have long been regarded as the most important concerns for humans: wife, children, wealth, and land. The magic tantras oppose such a sympathetic interpretation of sickness, as disease can be the outcome of a malicious spell.<sup>11</sup>

## 7. Incidents Highlighting Superstition

### Mira Road Incest Case

Can you think of a father raping his own daughters and letting another person raping his daughter and wife as well?

Well, this is what occurred in this case. A Tantrik advised this man (the father) that in order to become wealthy quickly, he must engage in sexual intercourse with his own daughter, the older one, who was 21 years old at the time.<sup>12</sup> He informed the father that by performing such an act, he would succeed. The tantrik had sex with the victim's mother and the victim, who had been raped by her father. The tantrik and the father raped the 21-year-old girl, which the

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<sup>11</sup> Sravana Borkataky-Varma, Christian A. Eberhart, Marianne Bjelland Kartzow, Religious Responses to Pandemics and Crises, *Diseased Rites: Magic Tantras and Inflicted Illness*, (Taylor & Francis 1 August 2023) Pg 70-71

<sup>12</sup> Ketan Ranga, Mira Road Incest Case: Father, tantrik unable to ejaculate: Police (Mid.day 24 March 2009) <<https://www.mid-day.com/mumbai/mumbai-news/article/mira-road-incest-case--father--tantrik-unable-to-ejaculate--police-38138>> accessed on 9 March 2024.

mother was aware of, but she was bound by her relationships and did not speak anything. The victim told the police that her mother accompanied her to the Tantrik, who stripped both of them before tying a thread around their wrists to demonstrate their good faith. Such practice had been going on for the past nine years, and the poor girl was in misery. But she had little choice because both of her parents were aware of the situation and were ignoring everything in order to save money. One day, the father was discovered raping his younger daughter, and the elder daughter instantly contacted the police since she did not want to ruin her younger sister's life.

### **Tantrik dressed as Sai Baba Case**

In the said case, a Soap Opera actress was raped. She was employed in private employment and sought wealth. She went to a tantrik one day after buying a lottery ticket and informed him she wanted to conduct a pooja at her home in the hopes of winning this lottery. The tantrik consented to the same and visited the actress's home while costumed as Sai Baba. When the woman saw this, she was horrified. He persuaded her by saying that he was a perfect representation of Sai Baba. He led her into her room and informed her that if she wanted to win the jackpot, she needed to have sex with him in order to get rid of the ghost that was inside her. With all due good faith, the lady was left with no choice but to consent to the same. Using this as an advantage, the tantrik sexually assaulted the woman and fled with her 26 lacs.<sup>13</sup>

### **Sons conspired with a Tantrik to kill their own mother**

In their desire for wealth and prosperity, two brothers plotted to murder their mother with the help of a woman who practised tantra. The mother, two boys, and a daughter make up the family. The two brothers went to a female tantrik for assistance when their father passed away and were destitute due to family money. She asserted that their mother and sisters are witches and that treatment for both of them was necessary to resolve the issue. The two brothers took their sister and mother to the lady Tantrik, who was keeping them both imprisoned. They were mistreated, and they didn't even get food. Physically, they were both weaker. A few days later, both of them were undressed in front of the two boys. The mother's eyes were cut out violently and used in a tantrik ceremony. The young girl managed to escape

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<sup>13</sup> Shirish Vaktania, Tantrik dressed as Sai Baba, had sex with actress to 'exorcise her' (Mid.day 13 May 2014) <<https://www.mid-day.com/mumbai/mumbai-news/article/tantrik-dressed-as-sai-baba--had-sex-with-actress-to--exorcise-her--15292167>> accessed on 9th March 2024.

without her clothes on. However, the mother was killed.<sup>14</sup>

### **Tantrik uses evil spirit to threat and molest a woman**

This incident involved a female employee of an automobile firm. This Tantrik came up to the woman in the car dealership one day. He hypnotised her by telling her that he wanted to buy an automobile. Because she was hypnotised, the woman began to believe whatever he said and even called her when she felt like it. The woman was occasionally defrauded of money by the Tantrik, who took advantage of the circumstances. He grabbed two lacs from her in total. He visited the woman's home one day and warned her that if she denied having sex with him, he would kill her parents because he was trying to get rid of some evil spirits that were bothering him. The woman had to undress without her consent, and the tantrik made her perform oral sex. Police have captured a self-proclaimed 'tantrik' for continuously sexually assaulting a woman and threatening to haunt her parents as an evil ghost if she rejected his advances. While he employed this tactic to torment the survivor for more than eight years, his crimes were only discovered lately, when she attempted suicide out of frustration.<sup>15</sup> He was charged under Sections 376 (1) (rape), 386 (extortion by threatening death or grievous bodily harm), and 506 (2) (criminal intimidation) of the Indian Penal Code, as well as the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil, and Aghori Practices and Black Magic Act of 2013.

### **8. Education and Its Impact**

Superstition has grown so much in our society that almost everyone thinks it to be true. Even our nation's well-educated and wealthy elite succumb to these false ideas. In truth, our country is still growing in the dark due to a lack of education, and the majority of Indians continue to underestimate the social and cultural value of education.<sup>16</sup> Nonetheless, there is still optimism that education will reduce superstition. People often have the misconception that if a patient is ill and not getting better, he should be taken to a neem-hakeem instead of a doctor. When considering this situation, education is crucial. There wouldn't be any such issues in our nation if people had a sufficient level of education.

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<sup>14</sup> FP Archives, Maharashtra: Sons conspire with tantrik, kill mother to gain wealth ( Firstpost 31 December 2014) <<https://www.firstpost.com/india/maharashtra-sons-conspire-tantrik-kill-mother-gain-wealth-2023987.html>> accessed on 13 March 2024.

<sup>15</sup> Sagar Rajput, Mumbai Tantrik uses evil spirit threat to molest woman for 8 years (Mid.day 12 March 2015) <<https://www.mid-day.com/mumbai/mumbai-news/article/Mumbai---Tantrik--uses-evil-spirit-threat-to-molest-woman-for-8-years--16054159>> accessed on 13th March 2024.

<sup>16</sup> N. Jayapalan, Problems of Indian Education, (Atlantic Publishers & Dist., 2005) 155-156

It is our duty to educate individuals, give them legal aid and education. When we focus on the communities that these scams mostly target<sup>17</sup>, we find that the underprivileged and impoverished are their main targets. It's common knowledge that those who live in rural areas are more likely to be targeted since they lack literacy and a sense of what is right and wrong in their own lives. Education is a means of enhancing an individual's understanding of the world and their place in it. In our culturally diverse society, ideals instilled via education should be universally appealing and directed toward national unity and social integration. Obscurantism, superstition, fatalism, religious fanaticism, and violence are all examples of social problems that could be eradicated by such education.<sup>18</sup> However, the current educational system only imparts professional knowledge on pupils rather than teaching them how to think critically. When it comes to oneself, rational thought is crucial.

## 9. Laws in India Regarding Superstition

In India, there is no central law that specifically addresses offences relating to witchcraft, superstition, or occult-inspired acts.

- In 2016, the Prevention of Witch-Hunting Bill<sup>19</sup> was introduced in the Lok Sabha, but it was not passed. The draft laws included penalties for charging or identifying a woman as a witch, employing unlawful force against a woman, or torturing or humiliating her under the guise of practising witchcraft.
- Section 302<sup>20</sup> (penalty for murder) of the IPC (Indian Penal Code) addresses human sacrifice, although only after the murder has occurred.<sup>21</sup>
- Such actions are also prohibited by Section 295A, which addresses "deliberate and malicious acts intended to offend the religious emotions of any class by insulting its religion or its beliefs."<sup>22</sup>
- IPC Section 420<sup>23</sup> penalises cheating in situations where self-proclaimed godmen deceive people.

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<sup>17</sup> Scheng1, Can education eradicate superstitions, (18 October 2011) <<http://scheng1.expertscolumn.com>> accessed on 13 March 2024.

<sup>18</sup> Brahm P Gupta, Education must boost unity, end Superstition (Down To Earth 15 April 1993) <<https://www.downtoearth.org.in/blog/education-must-boost-unity-end-superstition-30828>> accessed on 13 March 2024

<sup>19</sup> The Prevention of Witch-Hunting Bill, 2016> accessed on 13th March 2024)

<sup>20</sup> Section 302, Indian Penal Code, 1860

<sup>21</sup> Sanita Gora, India awaits a National Anti-Superstition Law (CNBC TV 18 January 25 2023) <<https://www.cnbc18.com/india/india-awaits-a-national-anti-superstition-law-15750421.htm>> accessed on 16 March 2024.

<sup>22</sup> Section 295A, Indian Penal Code, 1860

- Article 51A (h)<sup>24</sup> The Indian Constitution declares it a fundamental duty of Indian people to cultivate a scientific temper, humanism, and a spirit of inquiry and reform.
- Other clauses of the Drugs and Magic Remedies Act of 1954<sup>25</sup> seek to address the crippling effects of different superstitious acts common in India.
- The National Crime Records Bureau (NCRB), which keeps track of crimes in the country, has data on witchcraft-related deaths and human sacrifices.<sup>26</sup>

According to the 2021 report, 68 people were killed for witchcraft, with six killed for human sacrifice. Chhattisgarh has the highest cases of witchcraft (20), followed by Madhya Pradesh (18) and Telangana (11). Kerala witnessed two instances of human sacrifices. According to NCRB data, 88 individuals died in India in 2020 as a result of witchcraft, while 11 died as part of "human sacrifices." From 2012 to 2021, India reported 1,101 witchcraft-related deaths. Between 2014 and 2021, India reported 103 human sacrifice-related deaths.<sup>27</sup>

## 10. Conclusion

As far as we are aware, superstition is the unreasonable or unfounded belief in something that is untrue. These are the wicked customs that have spread widely throughout our culture. These practices have persisted from earlier times and are still in use now. Most often targeted have been the impoverished and defenceless. When someone has a medical condition, they are brought to a tantriks or babas rather than seeing a doctor. These days, people have such a great deal of faith in tantriks and baba that they believe these are the only options, take Asaram Bapu for example. The number of these practices is growing daily, thus many states have passed legislation at their level to help them get rid of superstitions in order to address the issue. The Anti-Superstition and Black Magic Act, passed by the State of Maharashtra in 2013, imposes penalties on those who engage in these kinds of practices. Similar legislation has been passed by the states of Jharkhand and Bihar to outlaw witchcraft. These activities continue and never stop, even after taking such preventive measures.

Education is the basic requirement. If education is provided to the people who fall prey to

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<sup>23</sup> Section 420, Indian Penal Code, 1860

<sup>24</sup> Article 51A (h), The Constitution of India

<sup>25</sup> Drugs and Magic Remedies Act, 1954

<sup>26</sup> Daily Current Affairs For UPSC Exam (DikshantIas 22 October, 2022)

<<https://dikshantias.com/currentaffairs-details?postid=477>> accessed on 16 March 2024.

<sup>27</sup> Sanita Gora, India awaits a National Anti-Superstition Law (CNBC TV 18 January 25 2023)

<<https://www.cnbc18.com/india/india-awaits-a-national-anti-superstition-law-15750421.htm>> accessed on 16 March 2024.

such activities there is definitely a solution which we can reach. Legal developments are not sufficient until they are done to the fullest. Enactment of umbrella legislation which would repeal all the state laws and cover this issue on a national front, Strict intervention by the judicial bodies, Improving the conditions of poor people living in villages and backward areas and providing them basic amenities, Proper redressal forums at the national and state levels to solve such problem, Empowering the youth and other sections of society by arranging awareness campaigns, etc. States are establishing strict legislation to prohibit human sacrifice ceremonies. There is a need for a specific nationwide anti-superstition law, and as a community, everyone should be involved in raising awareness about human sacrifices based on witchcraft and rituals.