

Civil society groups raise alarm over Maharashtra’s proposed “Dharma Swatantrya Adhiniyam, 2026”

Joint Press Note

Mumbai | March 11, 2026

A coalition of close to 30 civil society organisations, women’s rights groups and constitutional rights advocates will hold a joint press conference on March 11, 2026 in Mumbai to express deep concern over the Maharashtra Cabinet’s decision to approve the draft “Dharma Swatantrya Adhiniyam, 2026”, a proposed anti-conversion law reportedly designed to regulate religious conversion and interfaith relationships.

The Maharashtra Cabinet approved the draft legislation on March 5, 2026, with government representatives indicating that the law will be stricter than anti-conversion statutes already enacted in several other states. Media reports suggest that the bill may be introduced during the ongoing Budget Session of the Maharashtra Legislative Assembly.

However, the text of the draft law has not yet been made public, raising serious concerns about transparency, democratic process, and the potential implications of the legislation for fundamental rights.

The participating civil society organisations emphasise that legislation with far-reaching implications for religious freedom, privacy, and personal liberty cannot be drafted and introduced without public consultation, scrutiny, and debate.

A growing pattern of anti-conversion laws framed around “love jihad”

The proposed Maharashtra law appears to follow the pattern of anti-conversion legislation already enacted in several states under the banner of “freedom of religion” laws. While framed as measures to prevent coercion or fraudulent religious conversions, these statutes have frequently been justified politically through the narrative of “love jihad”—a conspiracy theory alleging that Muslim men systematically lure Hindu women into marriage in order to convert them.

This claim has no legal basis. In 2020, the Union Government informed Parliament that the term “love jihad” has no definition under existing laws, and that no case of “love jihad” has been reported by any central agency.

Despite this, the political discourse surrounding the proposed Maharashtra law has repeatedly invoked this narrative. Public statements by state ministers have suggested that the legislation is intended to prevent the “forcible marriage and conversion of Hindu girls”.

The participating civil society organisations warn that such framing stigmatises interfaith relationships, fuels communal suspicion, and undermines the constitutional autonomy of adult individuals to choose their partners and their faith.

Intrusive regulation of personal choices

Reports indicate that the proposed law would impose a highly intrusive regulatory regime over religious conversion, including:

- Mandatory prior permission from a designated authority before conversion
- A 60-day advance notice requirement before a person may change their religion
- Mandatory post-conversion registration within 25 days, failing which the conversion may be declared invalid
- Provision allowing relatives to trigger criminal investigations by alleging coercion

- Non-bailable offences, with penalties reportedly extending up to seven years' imprisonment and fines up to ₹5 lakh

The participating civil society organisations note that such provisions effectively transform a matter of individual conscience and belief into a bureaucratically regulated activity subject to state approval.

These measures also create conditions where family members, vigilante groups, or politically motivated actors can intervene in the private decisions of consenting adults, particularly in cases involving interfaith relationships.

Threat to constitutional freedoms

The proposed legislation raises serious constitutional concerns under several provisions of the Constitution of India.

Article 25 guarantees the freedom to profess, practice, and propagate religion, which includes the right to adopt and change one's faith.

The right to privacy, recognised by the Supreme Court in *Justice K.S. Puttaswamy v. Union of India*, protects intimate personal decisions relating to marriage, family life, and belief.

In addition, Articles 14 and 21 guarantee equality before the law and the protection of personal liberty.

The participating civil society organisations maintain that prior notice requirements, police inquiries into personal belief, and criminal penalties linked to marriage or conversion fundamentally alter the relationship between the individual and the State by placing private decisions under administrative and police surveillance.

Ongoing constitutional challenge to anti-conversion laws before the Supreme Court

The Maharashtra proposal also comes at a time when the constitutional validity of similar anti-conversion laws across several states is already under challenge before the Supreme Court of India.

A batch of writ petitions—first filed by Citizens for Justice and Peace (CJP), Mumbai that is the lead petitioner in the Supreme Court—has been pending before the Supreme Court since 2020, raising fundamental constitutional questions about the scope of freedom of conscience, personal liberty, equality before the law, and the limits of State power in regulating religious conversion and interfaith relationships. Hearings in the matter that have happened intermittently with pressing demands made by CJP for an interim stay on the most egregious provisions are also scheduled today, March 11, 2026.

Originally filed against laws enacted in Uttar Pradesh, Uttarakhand, Madhya Pradesh and Himachal Pradesh, the petitions were later expanded—with the Court's permission—to include similar statutes enacted in Chhattisgarh, Gujarat, Haryana, Jharkhand and Karnataka. As a result, the ongoing proceedings now concern nine state anti-conversion laws, each framed as a "Freedom of Religion" or "Prohibition of Unlawful Conversion" statute.

The petitions argue that while these laws are formally presented as safeguards against forced or fraudulent conversions, their design and implementation have created a legal regime that treats voluntary religious conversion as inherently suspicious, particularly when it occurs in the context of interfaith relationships or marriage.

Among the provisions under challenge are:

- mandatory prior declarations before a District Magistrate
- police inquiries into the reasons for conversion
- criminalisation of conversions associated with marriage
- third-party complaints by relatives or unrelated persons
- reversal of the burden of proof
- stringent bail provisions and enhanced penalties

According to the petitioners, these provisions subject the exercise of freedom of conscience to executive scrutiny and police investigation, opening the door to misuse and harassment, particularly against consenting adult couples and religious minorities.

In April 2025, the Supreme Court heard applications filed by CJP seeking interim relief against some of the most intrusive provisions, including those requiring prior declaration and enabling third-party complaints. The Court directed the Union Government and the concerned States to file responses, indicating that the matter raises serious constitutional questions requiring detailed consideration.

Several High Courts examining similar laws have already expressed concern regarding provisions that interfere with the autonomy of consenting adults. For instance, the Gujarat High Court stayed provisions of the Gujarat Freedom of Religion Act that criminalised interfaith marriages involving conversion, while the Madhya Pradesh High Court stayed provisions requiring prior declaration before authorities.

Participating organisations emphasise that introducing another anti-conversion law while the Supreme Court is actively considering the constitutional validity of similar statutes raises serious questions of legislative prudence and constitutional accountability.

Earlier attempts at monitoring interfaith marriages in Maharashtra

The proposed legislation must also be viewed alongside earlier attempts by the Maharashtra government to monitor interfaith marriages.

In December 2022, the state government issued a Government Resolution creating a committee tasked with monitoring inter-religious marriages. This decision was challenged before the Bombay High Court by several organisations, including Citizens for Justice and Peace (CJP), People’s Union for Civil Liberties (PUCL), Forum against the Oppression of Women (FAOW), and Indian Muslims for Secular Democracy (IMSD).

The petition argues that such monitoring violates the right to privacy, personal liberty, and the autonomy of adult women, and places interfaith couples at risk of surveillance and harassment. The matter remains pending before the Bombay High Court.

Demand for transparency and democratic scrutiny

Civil society organisations participating in the press conference are calling upon the Maharashtra government to:

1. Immediately make the draft bill public.
2. Initiate a process of public consultation involving civil society, women’s groups, legal experts, and minority rights organisations.
3. Refer the bill to a legislative standing committee for detailed scrutiny.
4. Refrain from introducing or passing the legislation without meaningful democratic debate.
5. Put out data on so called 'forced' conversions by marriage or otherwise which is necessitating such a law in Maharashtra

Legislation affecting fundamental rights must not be passed through opaque procedures or rushed legislative processes.

A call to defend constitutional freedoms

The participating civil society organisations stress that protecting individuals from coercion or fraud in matters of religion is already addressed through existing criminal law provisions.

What is at stake in the present moment is not the prevention of crime, but the expansion of state power into the most intimate domains of personal life.

India’s constitutional framework recognises that decisions relating to faith, marriage, and identity belong to individuals—not to the State, families, or vigilante groups.

The proposed legislation risks undermining these principles by creating a climate of surveillance, suspicion, and criminalisation around interfaith relationships and religious choice.

Civil society groups therefore urge the Maharashtra government to pause the legislative process, release the draft law for public scrutiny, and ensure that constitutional freedoms remain the guiding framework for any future policy.

Organisations Endorsing & Organising Press Conference:

1. People's Union for Civil Liberties (PUCL)
 2. Citizens for Justice & Peace (CJP)
 3. Mumbai For Peace
 4. Association for Protection of Civil Rights (APCR)
 5. Maharashtra Stree Mukti Parishad (MSMP)
 6. Centre for Study of Society and Secularism (CSSS)
 7. Hasrat-e-Zindagi Mamuli
 8. Forum Against Oppression of Women
 9. Christian Development Association
 10. The Bombay Catholic Sabha
 11. Ark Foundation
 12. Dhanak for Humanity
 13. India Love Project
 14. Dalit Human Rights Defenders Network
 15. National Council of Women Leaders
 16. Roopantar
 17. Citizens for the Constitution
 18. Parcham
 19. Savitri Fatima Foundation
 20. Indian Muslims for Secular Democracy
 21. Majlis
 22. Pani Haq Samiti
 23. Centre for Promoting Democracy
 24. Platform for Social Justice
 25. Majalgaon Vikas Pratisthan
 26. Masum, Pune
 27. Bharatiya Mahila Federation, Maharashtra
 28. Stree Mukti Sanghatana
 29. Samvidhan Pracharak Chalval
 30. Muslim Satyashodhak Mandal (Maharashtra)
 31. Bebaak Collective
 32. Bharatiya Muslim Mahila Andolan (BMMA)
 33. Jagrut Kashtakari Sangathan
 34. Muse Foundation
 35. Students Islamic Organisation of India (SIO)
- And Ors.