

Know The Assam Witch Hunting

(Prohibition, Prevention
and Protection) Act, 2018

In a patriarchal society, the unequal power relation between men and women puts women in a disadvantageous position in which violence is used as a tool to dominate and keep them under control. Witch hunting is one such tool. Witch hunting is beyond superstition and illiteracy and is not limited to caste, tribe, religion or language. Women are majority targets although a few men have been accused as witches too.

Women have been blamed for personal tragedies, sickness, crop loss and deaths. Self proclaimed Bej or Ojas i.e., witch doctors enjoy impunity endorsed by their community and they see this labelling as a solution to many problems faced by the community. *Tikker, dahinir, ramini, bateloga, dainagorh, daini, dayan, chippi, jokhini* are different names given to women who are labeled as witches. Witch hunting not only affects an individual but also the kith and kin of the targeted person. It is a gender based crime against women that violates her right to a life of safety and dignity. It is used as a tool by which conflicts, tensions and jealousies are used to restore status quo swiftly and absolutely in a manner that evokes little or no opposition or intervention from the community. Even state authorities mandated to protect people remain mute spectators.

**On July 19, 2021, government informed the State
Legislative Assembly that a total of 100 witch
hunting cases have been registered in Assam
between January 1, 2010 to June 30, 2021.**

Accurate or gender segregated data is not available.

Different forms of violence faced by victims of witch hunting

Physical Violence

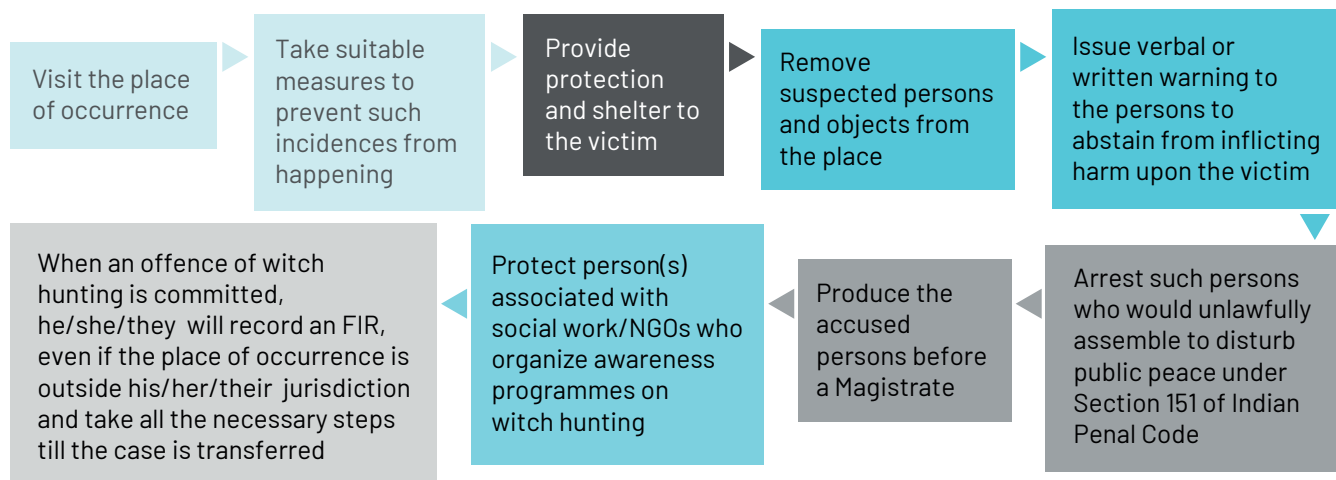
Verbal and Non-verbal violence

Hanging	Face blackening	Stigma	Character assassination
Public whipping	Beheading	Social boycotting	Defamation
Parading naked	Sexual assaults	Isolation	Name calling
Burning		Humiliation	

Witch hunting is a *cognizable, non-bailable and non-compoundable* offence under the Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2018 passed by Government of Assam. It is a gender neutral law and *any attempt to commit the crime of witch hunting will invite imprisonment and fine*. State government will issue necessary guidelines from time to time to effect the provisions of this Act.

Role of Police

When the police are informed that witch hunting is likely to be committed, he/she/they will:



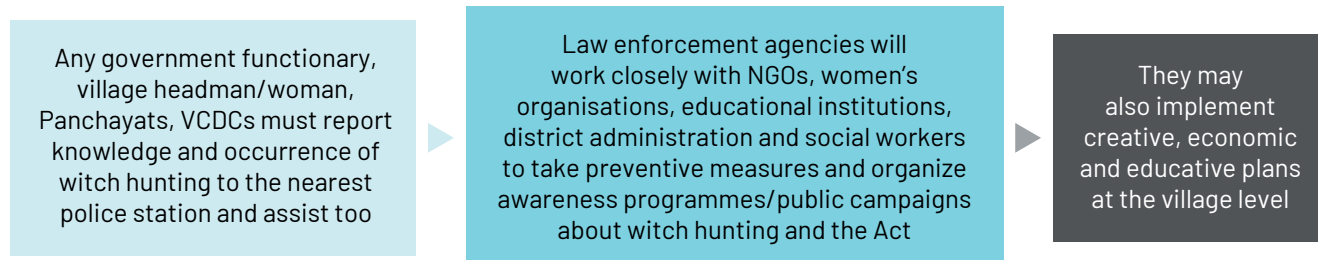
Failure to record FIR, negligence of investigation and withholding evidence are serious offences and therefore, is a cognizable offence against such police officer.

Who will be prosecuted under the Act?

Any person who identifies, or indicates another person as witch and calls him/her/them as witch and defames, accuses and stigmatizes by name calling, words, signs or any other act or conduct is an identifier who will be punished according to this Act. The identifier may also instigate another person or community to commit the act of witch hunting. Such actions can cause harm to the safety and dignity of the person and their families.

Acts of commission/omission	Penalty
Identifying as witch and for abetment	Imprisonment not less than 3 years but can extend up to a term of 7 years and with fine between ₹ 50,000/- to ₹ 5,00,000/-
Causing death by using criminal force or sexual assault	Sec 302 of the Indian Penal Code, 1860 i.e. life imprisonment/ death penalty and fine.
Compelling person to commit suicide	Imprisonment not less than 7 years but may extend to life imprisonment and with fine between ₹ 1,00,000/- to ₹ 5,00,000/-
Identifying person as witch to displace or occupy his/her property	Imprisonment not less than 5 years but which may extend to 10 years and with fine between ₹ 1,00,000/- to ₹ 5,00,000/-
Using criminal force to outrage modesty	Imprisonment not less than 5 years but which may extend to 10 years and with fine between ₹ 10,000/- to ₹ 50,000/-
Inflicting other tortures like hair shaving, cutting body parts, verbal abuses, forcing to eat human excreta, prohibiting from employment, social functions, etc.	Imprisonment not less than 5 years but which may extend to 10 years and with fine between ₹ 50,000/- to ₹ 1,00,000/-
Damaging reputation and dignity with intention to sexually exploit or extort money/property, etc.	Imprisonment not less than 3 years but which may extend to 7 years and with a fine between ₹ 10,000/- to ₹ 50,000/-
Misfortune that befalls a village/locality or community such as droughts, floods, crop loss, illness or any death	Imprisonment not less than 3 years and with fine between ₹ 10,000/- to ₹ 50,000/-
Community involvement	Fine between ₹ 5000/- and ₹ 30,000/- Imprisonment of 1 year or as decided by the court for non-payment of fine
Causing disappearance of evidence, disruption investigation, shielding offender, etc.	Minimum 9 months to 7 years and shall also be liable to fine under Sec 201/182 of Indian Penal Code.

Role of Government and non-government stakeholders



State government will also

- Provide free counseling and medical aid to aggrieved persons and their families.
- Establish protective homes and rehabilitation centers for affected persons.
- Ensure rehabilitation of aggrieved persons through different schemes.
- Grant adequate compensation to victims or their nearest kins.

* Any public servant who violates his/her/their duty will have to face departmental action or a fine upto ₹10,000/- for misconduct.

* If a government officer or any other person undertakes any action in good faith to prevent or stop witch-hunting, then no suit or prosecution shall lie against him/her/them.

The Assam Victim Compensation Scheme, 2012 was amended by the Governor of Assam in 2019 by revising the quantum of compensation awarded in the Scheme. State government shall allot a separate budget for the purpose of the scheme every year. The scheme is operated by Assam State Legal Services Authority through the District Legal Services Authority.

Amount of Compensation in cases of witch hunting:

Loss of life	Min. 7,00,000/- to Max. 8,00,000/-
Bodily injuries (less than 20% to more then 50%)	Min. 3,00,000/- to Max. 8,00,000/-
Psychological injury	Min. 3,00,000/- to Max. 4,00,000/-
Loss of earnings, employment, education	Min.5,00,000/- to Max. 8,00,000/-

FOR ASSISTANCE DIAL

100 (Assam Police), 181 (Women's Helpline) &
0361 2220150 (Assam State Commission for Women)

Contact your headman/woman, Panchayat and Village Council
Development Committee (VCDC).

For more information, call North East Network 94350 17824 &

..... District.....

This information is available in English, Bodo, Assamese

www.northeastnetwork.org

