

Witch-Hunting Laws: Learning from Assam and Other States

Roundtable Convened by ICRW Asia and Nirantar Trust

New Delhi | 7 July 2026



Introduction

On 7 July 2026, ICRW Asia and Nirantar Trust convened a roundtable discussion on *“Witch-Hunting Laws: Learning from Assam and Other States”* in New Delhi. The roundtable brought together lawyers, researchers, activists, practitioners, and community leaders working on issues of witch-hunting, gender-based violence, access to justice, and survivor support across Assam, Bihar, and Jharkhand.

The discussion was organized against the backdrop of the continued prevalence of witch-hunting in several parts of India despite the enactment of state-level legislation and decades of advocacy by civil society organizations. While legal reforms have created important avenues for accountability, participants noted that accusations of witchcraft continue to result in violence, social exclusion, dispossession, and long-term harm to women and their families.

The roundtable aimed to facilitate cross-state learning by bringing together experiences from Assam, Bihar, and Jharkhand. Discussions focused on the implementation of existing legal frameworks, barriers to justice, survivor rehabilitation, and community-based prevention strategies. Particular attention was paid to lessons emerging from the implementation of the Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015 and their relevance for strengthening responses in other states.

Session I: Understanding Witch-Hunting – Historical and Contemporary Perspectives

Padma Bhate-Deosthali (ICRW), Santosh Sharma (Nirantar Trust), Archana Dwivedi (Nirantar Trust)

The opening session situated witch-hunting within broader discussions of gender-based violence, social exclusion, and community power structures. The speakers emphasized that witch-hunting should not be understood merely as an outcome of superstition but as a manifestation of deeply entrenched social and gender inequalities, local power structures, and community complicity against vulnerable women- especially single women, widows, with land assets etc.

A key theme emerging from the discussion was that witch-hunting is sustained by broader systems of belief that shape how communities interpret illness, death, misfortune, and social conflict. This also stems from not just lack of awareness around health outcomes but also lack of access to health systems. The speakers observed that accusations often emerge in contexts where women occupy vulnerable social positions, including widows, elderly women, women living alone, women without children, or women lacking strong familial support networks.

Ms Archana Dwivedi, Nirantar Trust, emphasized that the issue extends beyond individual incidents of violence and must be understood through the broader social belief systems that continue to legitimize accusations.

Participants reflected on how labels associated with witchcraft remain normalized in everyday language and social practice, contributing to the persistence of witch-branding and violence. The session also traced the historical evolution of anti-witch-hunting advocacy in Jharkhand. Participants reflected on landmark cases, including the Budhni Devi case in Bokaro district and the 1995 Chutni Mahto case, which played an important role in bringing public attention to the issue. These cases were described as turning points that contributed to sustained mobilization by civil society organizations and women's groups in the state.

Speakers highlighted that many early interventions focused on documentation, survivor support, and public awareness. Over time, advocacy efforts expanded to include legal reform, community mobilization, and engagement with local governance institutions. Despite these efforts, participants noted that accusations continue to occur, underscoring the limitations of legal reform in the absence of broader social transformation.

Key Reflections

- Witch-hunting is a form of gender-based violence rooted in broader systems of inequality and exclusion.
- Social beliefs surrounding witchcraft remain deeply embedded in community life.
- Historical advocacy efforts have played a critical role in advancing legal reform and survivor support.

- Long-term prevention requires engagement with the social norms that sustain accusations and effective legal and justice system including relevant legal amendments
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Session II: State Experiences from Jharkhand, Bihar, and Assam

The second session focused on state-specific experiences and explored the social, cultural, and institutional dynamics that shape witch-hunting across different contexts. The speakers included Ms. Gita Bhattacharya (Assam), Mr. Ajay Jaiswal (Jharkhand), Ms. Ratna Priya (Bihar)

Experiences from Jharkhand

Mr Jaiswal described more than three decades of community engagement, survivor support, grassroots movements, use of theatre and advocacy work in Jharkhand. Discussions highlighted the continued reliance of survivors on civil society organizations, often due to inconsistent institutional responses. Particular emphasis was placed on the role of Panchayati Raj Institutions. Participants noted that Jharkhand's network of over 4,000 Panchayats presents significant opportunities for prevention, early intervention, and community accountability. Ongoing efforts seek to strengthen Panchayat engagement in responding to witch-hunting cases and supporting affected women. The discussion also highlighted the use of the term "*Bokus*" in parts of Jharkhand to describe women accused of witchcraft, illustrating how stigmatizing labels continue to shape local perceptions and experiences.

Experiences from Bihar

Ms Ratna Priya highlighted the persistence of witch-branding and the normalization of terms such as "*dayan*" in everyday language in Bihar. The discussion underscored the continuing influence of traditional belief systems and the role of *ojhas* (traditional and/or faith healers) in reinforcing accusations in some communities. Survey findings from a study conducted by Nirantar Trust in Bihar presented during the session revealed that approximately 68% of respondents, including students and teachers, reported belief in the existence of a *dayan*. The speaker noted these findings as evidence that current systems of education does not equip the larger communities with scientific temper to understand and challenge attributing circumstances to witches and witchcraft. The discussion also highlighted disturbing patterns of violence, including forced tonsuring of women accused to be witches, naked parades, public humiliation, social boycott, and forced displacement of these women.

She shared data from Motihari district that illustrated significant barriers within the justice system. Of the cases reviewed by the Nirantar Team:

- 156 had no traceable record after FIR registration;
- 197 had been resolved through compromise or informal settlement; and
- 347 remained pending before courts.

These findings were presented as evidence of the substantial gap between legal protections and meaningful access to justice.

Experiences from Assam

Participants from Assam highlighted the complex social and economic factors that contribute to accusations. Contrary to common assumptions, speakers noted that many cases emerge within communities rather than between them and are often linked to disputes over land, social status, economic inequality, and local power relations.

Data presented during the session indicated that Assam recorded approximately 2,250 witch-hunting-related cases between 1989 and 2024. Participants noted that while serious forms of violence have declined since the introduction of the Assam legislation, underreporting remains a significant concern. The discussion also highlighted examples in which social mobility and changing status relations generated resentment that eventually culminated in accusations of witchcraft. These examples illustrated the broader social functions that witch-branding can serve within communities.

Common reflections and patterns across states

Despite important contextual differences, participants identified several common patterns across all three states:

- Land and property disputes frequently underpin accusations.
 - Women who are socially or economically vulnerable face heightened risk.
 - Community-level belief systems continue to legitimize violence.
 - Legal reforms are important and have been put in place in states like Assam. But due to lack of effective implementation, these reforms have not fully translated into improved justice outcomes.
 - Survivor rehabilitation and long-term care remain inadequately addressed areas.
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Session III: Comparative Analysis of Existing Legal Frameworks

Ms Deepshikha Chatterjee (ICRW Asia), Ms Tivisha Wanchoo (ICRW)

This session presented findings from ICRW Asia's desk review of anti-witch-hunting legislation across six states; Bihar, Jharkhand, Chhattisgarh, Odisha, Rajasthan, and Assam. The review was carried out to understand how existing legal frameworks address witch-hunting and the extent to which they respond to the needs of survivors.

The comparative analysis examined state laws across various parameters, including definitions of offences, procedural provisions, punitive measures, survivor support and compensation, rehabilitation measures, and prevention mechanisms. The presentation highlighted both the progress made through state-level legislation and the considerable variation that exists in the scope and strength of these legal frameworks.

State Anti-Witch-Hunting Laws Included in the Review

State	Legislation	Year
Bihar	Prevention of Witch (Daain) Practices Act	1999
Jharkhand	Prevention of Witch Practices Act	2001
Chhattisgarh	Tonahi Pratadna Nivaran Act	2005
Odisha	Odisha Prevention of Witch-Hunting Act	2013
Assam	Assam Witch Hunting (Prohibition, Prevention and Protection) Act	2015
Rajasthan	Rajasthan Prevention of Witch-Hunting Act	2015

The comparative framework shows substantial variation across states in definitions, offences, victim-support measures, procedural safeguards, and punishments. The review highlighted a clear evolution in the way state laws conceptualise and respond to witch-hunting. Bihar, Jharkhand, and Chhattisgarh laws contain narrower definitions and fewer categories of offences compared to Assam and Rajasthan which have expanded the scope to include witchcraft practices, collective participation, survivor compensation, rehabilitation, prevention, and procedural safeguards. The Odisha law marked an important shift by defining witch-hunting as a process and recognising degrading acts as distinct offences. Rajasthan strengthened compensation and sentencing provisions, while the Assam Act incorporated the widest range of preventive, protective, rehabilitative, and accountability measures among the laws reviewed.

A detailed comparison of the laws is in Annexure 1

Session IV: The Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015 – Penal Provisions and Remedies for Survivors

The Assam With hunting Act 2015 is considered one of the more comprehensive legal framework addressing witch hunting in India. It combines criminalisation with prevention, protection, rehabilitation and institutional accountability.

An overview of the presentation and the following discussion is as follows:

- A distinctive feature of the Assam Act is that it criminalises the act of identifying, calling or accusing a person as a witch, even before physical violence occurs. Section 4 prescribes a minimum sentence of three years' imprisonment for such conduct. By criminalising the identification, stigmatisation, and defamation of a person as a witch, the legislation acknowledges the severe impact that accusations can have on an individual's dignity, reputation, social standing, and mental well-being. The Act also clearly mentions “attribution of misfortune” which is again criminalised, defined as an act of blaming a negative event (including natural disasters) on someone on account of them being a witch.
- The Act treats witch-hunting as a collective offence, recognising the role of instigation, aiding, abetment, and community participation in sustaining acts of witch-hunting and related violence.
- The Act adopts a broader understanding of harm by recognising that witch-hunting is not limited to physical violence. The Act also criminalises the use of criminal force in the course of identifying or branding a person as a witch and recognises related forms of violence, including outraging the modesty of a woman and acts of torture. Section 9 specifically identifies practices such as stoning, hanging, cutting hair, and burning hair as forms of torture and makes them independently punishable offences, reflecting the law's recognition of the physical and gendered violence often associated with witch-hunting.
- The Act prescribes punishment for identifying or branding a person as a witch, damaging an individual's reputation and dignity through witch-branding, and attributing illness, death, accidents, or other misfortunes to a person accused of being a witch. It further recognises collective participation, abetment, and instigation as punishable offences and provides enhanced penalties where witch-hunting results in serious injury, suicide, or death. These provisions were discussed as significant because they enable intervention at an early stage, before accusations escalate into more severe forms of violence.
- Section 5 addresses witch-hunting that results in death. It provides that where a person assaults, uses criminal force against, or causes such force to be used against an individual on the accusation that they are a witch, and that act results in death, the

offender shall be punished in accordance with Section 302 of the IPC (murder). In addition to this, the Act separately criminalises conduct leading a person to die by suicide, prescribing a mandatory minimum sentence of seven years that may extend to life imprisonment.

- Section 30 of the Act bars the grant of anticipatory bail for offences committed under the legislation. This provision was intended to prevent accused persons from obtaining pre-arrest protection in witch-hunting cases. However, it was noted that judicial decisions have subsequently granted anticipatory bail in certain cases following a judgement by the Guwahati high court stating that such a provision was beyond the scope of a state law, raising questions regarding the practical application of this provision.
- Sections 22 and 23 reflect the preventive orientation of the Assam Act by placing affirmative duties on the state administration and local institutions. These include awareness generation, stakeholder training, counselling and support services, the formation of village-level women's groups and draw up consultation plans in these groups. Panchayats and Village Development Committees, have reporting responsibilities, while non-compliance by government officials may result in departmental enquiry.
- The Act includes a rescue provision under which a Magistrate or Executive Magistrate may direct the police to rescue a person if there is information that they have been victimised through witch-hunting. This was highlighted as an important mechanism for providing immediate protection to survivors.
- The Act explicitly provides for free medical assistance, free legal services and rehabilitation grant. These provisions are incorporated directly within the legislation, thereby creating a statutory and legal mandate for survivor support and assistance.
- The legislation provides for the establishment of Special Courts to hear offences under the Act. It also envisages that cases should be completed within a period of one year. In practice, however, the one-year timeline is often not achieved because Special Courts are generally presided over by Additional Sessions Judges who hear these matters in addition to their regular caseload.
- The Act contains a significant property-related safeguard under which a person convicted under the legislation may be disqualified from inheriting the victim's property. This provision was discussed in the context of the role that land and inheritance disputes often play in witch-hunting accusations.
- Investigating officers frequently approach witch-hunting cases as ordinary murder or bodily offence cases and may not fully utilise the specialised provisions available under the Act. Assam has recently established a Directorate of Prosecution, which is

expected to strengthen the sensitisation and capacity of prosecutors dealing with special offences, including cases registered under the Act.

- The presentation emphasised that while the Act provides a comprehensive legal framework, effective implementation, greater awareness among justice-sector actors, and stronger institutional capacity remain critical to ensuring meaningful outcomes for survivors.

Significance of the Assam Act:

It was observed that the legislation recognises witch-hunting not merely as a criminal offence but as a violation of a woman's constitutional rights. The Act's recognition of harm to reputation and dignity was discussed in the context of Article 21 of the Constitution, reaffirming that witch-branding results not only in physical violence but also in the denial of a woman's right to live with dignity.

The Act combines criminal sanctions with preventive and survivor-support measures, including awareness generation, medical care, legal assistance, counselling, rehabilitation support, and institutional accountability. These provisions were viewed as important innovations that acknowledge the long-term social, psychological, and economic consequences of witch-hunting.

Adv Atey also noted a few points around its implementation:

Although the Act came into force in 2018, relatively few cases have reached the High court. Adv. Atey noted that only a limited number of cases registered under the Act have come up for judicial interpretation, meaning that the jurisprudence around the legislation is still underdeveloped.

- He observed that there is very low awareness of the Act among legal practitioners and prosecutors, many of whom continue to prefer proceeding under IPC/BNS provisions because they are more familiar with those laws.
- While the Act provides for constitution of Special Courts (Section 16) and envisages disposal of cases within one year, these timelines are rarely met in practice. Special Courts are generally presided over by Additional Sessions Judges who hear these matters in addition to their regular judicial workload.
- One of the most significant implementation challenges is the high incidence of hostile witnesses. Retraction of witness statements during trial is common and occurs at a much higher rate than in ordinary criminal cases.

- Referring to cases which have reached the High Court, he highlighted cases where key eyewitnesses retracted their statements before the court, resulting in acquittals despite earlier convictions by trial courts. This was presented as a recurring pattern in witch-hunting cases heard before the High Court.
- He further observed that witch-hunting is often a community-sanctioned offence, making investigation and prosecution particularly difficult. In some cases, entire villages have refused to cooperate with police investigations, and courts have acknowledged that many participants escape accountability because witnesses turn hostile or refuse to testify. Collecting evidence is thus a challenge for law enforcement officials. He cited a case where the High Court noted the challenge in its judgement
- Village-level actors/Village Panchayat, including traditional community leaders, often play a crucial role in prosecution. However, these individuals may themselves face pressure from the community and consequently retract statements or fail to support investigations.
- Another recurring challenge identified was that investigating officers frequently treat witch-hunting cases as ordinary murder or bodily offence cases and may not fully utilise the specialised offences and protections available under the Act.
- To address some of these challenges, Assam has established a Directorate of Prosecution, which is expected to strengthen the sensitisation of public prosecutors and improve their familiarity with special legislations, including the Assam Act.
- He repeated the point that the statutory bar on anticipatory bail has not operated as intended in practice. He referred to Gauhati High Court decisions that have granted anticipatory bail notwithstanding the prohibition contained in the Act, thereby limiting the practical effect of this provision.
- He cited the current conviction rate under the Assam Act at approximately 32%, underscoring the continuing need for greater sensitisation among police, prosecutors, and the judiciary.

In the discussion, participants with experience of working in Assam also highlighted gaps in police sensitization and investigative practices. Concerns were raised regarding the ability of frontline institutions to respond effectively to witch-hunting as a form of gender-based violence.

Key Takeaways from Assam for other state laws

The participants also discussed what the experience of the law in Assam, both the legal provisions as well as its implementation, can serve as takeaways for older state laws like Bihar and Jharkhand. A few key pointers were:



- Participants emphasised the need to introduce minimum sentencing provisions in anti-witch-hunting legislation to avoid disproportionately lenient punishments and strengthen the deterrent effect of the law.
- There was broad agreement on the importance of extending accountability beyond individual perpetrators and recognising collective or mob participation in witch-hunting offences. Given that accusations and violence are often community-driven, legal frameworks should acknowledge the role of collective actors and address the challenges this creates for investigation and prosecution.
- Participants highlighted the need for a robust witness protection mechanism, noting that survivors and witnesses are frequently subjected to intimidation, coercion, and social pressure. Strengthening witness protection was identified as essential, particularly as survivors are often the primary witnesses in such cases and hostile witnesses remain a significant challenge.
- The discussion underscored the importance of protecting survivors from further reputational harm, stigma, and social exclusion during legal proceedings. Participants recommended that future legal frameworks include provisions to safeguard the dignity, privacy, and confidentiality of survivors throughout the justice process.
- Participants recommended the establishment of designated Special Courts to expedite case disposal and reduce delays in the justice process. The Assam experience was discussed as demonstrating both the value of specialised courts and the practical challenges that arise when they are not adequately resourced.
- There was strong support for incorporating state-specific awareness, prevention, and sensitisation mandates within anti-witch-hunting legislation rather than relying solely on punitive provisions. Participants emphasised the need for sustained capacity-building of police personnel, prosecutors, judicial officers, and other actors involved in implementation.
- The discussion highlighted the value of including law-specific rescue mechanisms and survivor support provisions, including access to free medical assistance, legal aid, rehabilitation support, counselling services, and other forms of institutional assistance.
- Participants stressed the importance of establishing clear links between anti-witch-hunting legislation and victim compensation mechanisms, while also ensuring that compensation and fines should both operate as distinct measures. Compensation should not be dependent solely on fines recovered from convicted persons but should be supported through dedicated state mechanisms. Here, the respective District Legal Services Authorities (DLSA) play

an important role in facilitating victim compensation, legal aid, rehabilitation, and coordination between survivors and state institutions.

- Participants recommended that future legal reforms provide clear avenues for appeal and strengthen procedural safeguards to ensure effective access to justice.
- The discussion distinguished between interventions required during trial and those required after trial. During trial, witness protection, confidentiality, and stakeholder sensitisation were identified as priorities, while post-trial measures included compensation, rehabilitation, legal support, and continued institutional engagement with survivors.
- Land and property disputes were repeatedly identified as both a cause and consequence of witch-hunting accusations across all states. However, this is only included as a legal provision in the Assam state law. Participants therefore highlighted the need for legal provisions addressing land dispossession, inheritance-related harms, and the restoration of property rights where appropriate.
- Overall, participants viewed the Assam Act as an important reference point for future reforms because of its emphasis on prevention, survivor protection, rehabilitation, accountability, and institutional responsibility. At the same time, they emphasised that stronger legal provisions must be accompanied by effective implementation, institutional capacity, and sustained engagement with affected communities to produce meaningful outcomes for survivors.

It was noted that the value of the Assam Act lies not only in stronger punishments but also in its recognition of collective responsibility, reputational harm, prevention, and institutional accountability, offering important lessons for strengthening legal frameworks in other states.

Session V: Experiences from Assam, Bihar and Jharkhand

Chaired by Ms. Renu Mishra

Speakers: Ms. Mamoni (Assam), Adv. Saket Anand (Bihar), Mr. Ajay and Mr. Manoj (Jharkhand)

This session focused on the experiences of survivors navigating legal systems across states.

- Assam: Participants shared field experiences illustrating the challenges survivors face in accessing justice even where a stronger legal framework exists. A 2016 case involving the killing of both parents of a family following a witch-hunting accusation was discussed. Participants also noted that many cases are informally compromised and never formally registered under the Act, partly to avoid obligations relating to victim compensation, limiting both accountability and access to legal remedies.
- Bihar: Participants emphasised the continued importance of community-level awareness-building and prevention efforts. The discussion also highlighted procedural provisions within the Bihar framework, including the requirement for a progress report within 15 days of filing a case and the mandate for trial to commence within 60 days of filing the chargesheet. At the same time, participants noted the need for greater attention to prosecution planning and institutional follow-through to ensure effective implementation.
- Jharkhand: Participants reflected on the long history of grassroots engagement on witch-hunting in Jharkhand, including early documentation of the Budhni Devi case and the 1995 Chutni Mahto case. Discussions highlighted how this work expanded from a small number of intervention areas into broader advocacy, documentation, and survivor-support efforts. Participants also noted that survivors and their families continue to approach civil society organisations directly for assistance, often due to inconsistent responses from formal institutions.

Common barriers emerged across states like:

- Fear of retaliation leading to hesitation in reporting
 - Community pressure to withdraw complaints and witnesses changing statements
 - Informal settlements from the law being a compoundable offence in states
 - Hostile witnesses and a lack of witness protection schemes
 - Fear of social isolation leading to community complicity and consent
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Session VI: Open Discussion

The session generated several recommendations, including:

- Minimum sentencing provisions;
- Collective accountability for mob violence;
- Special courts;
- Survivor privacy protections;
- Rescue provisions; and
- Guaranteed access to medical, legal, and rehabilitative services.
- Preventive measures enforced through legal reform and legal system

In the open discussion that followed, participants emphasized that justice must extend beyond criminal accountability. The discussion highlighted the long-term consequences of witch-hunting, including displacement, trauma, loss of livelihood, social exclusion, and continued insecurity.

Several speakers reflected on efforts to support survivors through:

- Government welfare schemes;
- Livelihood programmes;
- Legal aid;
- Community support mechanisms; and
- Rehabilitation services.

One Stop Centres (OSCs) were identified as important institutions for providing shelter, referrals, and immediate support to women facing violence. Participants stressed that rehabilitation should be understood as a central component of anti-witch-hunting responses rather than an optional addition to legal interventions.

Session VII: Key Takeaways for Jharkhand and Bihar

The final session focused on lessons emerging from the roundtable and their relevance for strengthening responses in Jharkhand and Bihar.

A few takeaways from the Assam law included:

- **Address witch-hunting at the stage of accusation**-The Assam framework was considered significant for recognising that witch-hunting does not begin with physical violence. The criminalisation of witch-branding and attribution of misfortune creates an opportunity for intervention before accusations escalate. Participants suggested that other state laws should similarly address the processes of stigmatisation, accusation and social exclusion that precede violence.
- **Recognise collective responsibility** -Participants emphasised that witch-hunting is frequently community-driven and may involve multiple perpetrators, instigators and those who aid or abet the offence. Laws should therefore provide for collective accountability, particularly in cases involving mob violence, while ensuring that investigation and prosecution capture the roles of all relevant actors.
- **Strengthen survivor and witness protection** -Fear of retaliation, community pressure, withdrawal of complaints and hostile witnesses were identified as major barriers to justice across states. Future legal frameworks should therefore provide for witness protection, survivor privacy and confidentiality, and protection from further stigma or reputational harm during legal proceedings.
- **Strengthen prevention and institutional responsibilities** -Participants recommended that legislation should establish clear responsibilities for prevention, awareness generation and sensitisation rather than relying exclusively on punitive provisions. Police, prosecutors, judicial officers, Panchayati Raj Institutions and other relevant actors should receive sustained capacity-building, with mechanisms to monitor compliance and institutional performance.
- **Improve access to justice** -The Assam experience highlighted the value of designated Special Courts, while also demonstrating that specialised courts require adequate resources and judicial capacity to meet time-bound disposal requirements. Participants recommended dedicated courts or other mechanisms for expediting cases, together with clear avenues for appeal and appropriate procedural safeguards. Minimum sentencing provisions were also recommended to ensure that punishments are proportionate to the seriousness of witch-hunting offences and provide an effective deterrent.
- **Ensure comprehensive survivor support –**
 - Participants stressed that legal action must be accompanied by access to medical care, legal aid, counselling, compensation, rehabilitation and livelihood support. Rescue mechanisms should be available where survivors face immediate danger.

- Compensation should operate independently of fines imposed on perpetrators and should be supported through dedicated state mechanisms. District Legal Services Authorities were identified as important institutions for facilitating compensation, legal aid, rehabilitation and coordination between survivors and government services.
 - **Address property and land-related harms** -Land and property disputes were identified as an important factor associated with witch-hunting across states. Participants noted that the Assam law is distinctive in explicitly addressing inheritance-related consequences and recommended that other legal frameworks consider provisions relating to land dispossession, inheritance, property rights and restoration of property, where appropriate.
 - **Strengthen implementation and accountability –**
 - Participants emphasised that stronger legislation alone will not ensure better outcomes. Police and prosecutors may continue to treat cases as conventional offences unless they are sensitised to the specific dynamics of witch-hunting and required to apply the relevant provisions.
 - Future reforms should therefore be accompanied by clear implementation protocols, monitoring mechanisms, institutional coordination and accountability for failure to perform statutory duties.
 - **Invest in long-term prevention and social norm change** -Participants stressed that legal reform should be complemented by sustained community-level prevention and social norm change. Panchayati Raj Institutions, women's groups, adolescents and young people, civil society organisations and community structures should be engaged in challenging harmful beliefs and gender inequalities that contribute to witch-hunting.
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Overall recommendations:

- Strengthening Panchayati Raj Institutions as local accountability and mechanisms and mandating them for sustained awareness and community engagement.
- Expanding adolescent and youth engagement initiatives.
- Improving implementation of existing laws by increasing capacity of police, prosecution and judiciary
- Strengthening witness-protection systems.
- Expanding access to compensation and rehabilitation.
- Enhancing coordination among government agencies; and establish effective monitoring of implementation
- combine legal reform with sustained community-based prevention and social norm change.

Conclusion

The roundtable reaffirmed that witch-hunting remains a serious manifestation of gender inequality, social exclusion, and violence against women. While legal reforms have created important pathways for accountability, participants emphasized that legislation alone cannot eliminate the practice. Experiences from Assam, Bihar, and Jharkhand demonstrated the need for a comprehensive response that combines legal reform, institutional strengthening, survivor-centred support, rehabilitation, community engagement, and long-term efforts to transform the social norms that sustain witch-hunting. The discussion concluded with a shared commitment to continue strengthening collaboration, supporting survivors, documenting evidence, and advancing legal and institutional reforms that protect the rights and dignity of women affected by witch-hunting.

Annexure 1: Comparison of State Laws on Witch Hunting in India

Table 1: Origin of Laws of definitions covered

Provision	Implications	Bihar 1999	Jharkhand 2001	Chhattisgarh 2005	Odisha 2013	Rajasthan 2015	Assam 2018
GENESIS							
Trigger / Origin		India's first law; legislative initiative	Adopted from Bihar's 1999 framework post-bifurcation	State initiative; aware of gaps, no external pressure	PIL-driven; HC directed (2005); took 8 yrs to pass	State political initiative; Rules framed 2016	30-yr survivor-led advocacy (Mission Birubala) + PIL
DEFINITIONS							
Local Term(s) for Accused		Daain	Daain	Tonahi (Dayan, Tonaha)	Dahani / Dayan	Dayan / Dakan / Dakin	Daini/Dakini/Bhoot uni, or similar
Definition of Witch / Accused	A narrow definition means most cases cannot be registered under the special Act. A broad definition makes the law a usable enforcement tool rather than a paper deterrent.	Woman believed to harm via black magic, evil eye, or Mantras	Identical to Bihar	Any person believed to harm by black magic (gender-neutral)	Woman locally named, believed to hold evil power	Woman locally named, believed to hold evil power	Any person accused by name; no belief-in-power required
Who Can Be Recognised as a Victim?	Women-only definitions exclude male victims and give perpetrators a technical defence. Gender-neutral scope closes this without reducing protection for women who remain the overwhelming majority of victims.	Women only	Women only	Any person	Women; witch-doctor clause gender-neutral	Women; witch-doctor clause gender-neutral	Any person
Proof of Supernatural Belief Needed to Register a Case?	If yes, police have a ready-made reason to refuse FIR registration. This is the primary reason why cases in Jharkhand are registered under IPC murder provisions rather than the 2001 Act.	Yes FIR barrier	Yes identical barrier	Yes	Yes	Yes	No accusation itself triggers offence
Is 'Witchcraft' (Practice) Separately Defined?	Without this, only the violence against the woman is prosecutable, not the ritual that caused it.	No	No	No	Yes Guni, Jhada phunka, etc.	Yes Tona -Totaka, Tantra-Mantra	No subsumed under Witch Hunting
Is 'Witch-Doctor' Defined?	Role of Ojhas is instrumental in branding a woman as a witch	Yes Ojha	Yes identical to Bihar	Yes Ojha	Yes Gunia / Tantrik / Kalisi	Yes 3 sub-offences (S.6)	Partial covered under Abettor definition
Is 'Witch-Hunting' Separately Defined as a Practice?	Without a process definition, only the endpoint (physical harm) is prosecutable. Defining it as an evolving process means the law can intervene at the stage of accusation, before actual violence.	No	No	No	Yes dual structure (identify + harm)	Yes same dual structure	Yes broadest: incl. death, displacement

Table 2: Offences and provisions

Provision	Implications	Bihar 1999	Jharkhand 2001	Chhattisgarh 2005	Odisha 2013	Rajasthan 2015	Assam 2018
OFFENCES AND PROVISIONS							
Core Offences Criminalised		S.3 Identification S.4 Causing harm/torture S.5 Abetment S.6 Witch-curing causing harm	1-4. Identical to Bihar	S.4 Identifying as Tonahi S.5 Harassment/damage S.6 Witch-curing S.7 Claiming to be Tonahi S.8 Attempt	S.4 Witch-hunting (2 sub-offences) S.5 Practising witchcraft S.6 Witch-doctor practices S.7 Repeat offences – enhanced	S.4 Witch-hunting (2 sub, by severity) S.5 Witchcraft S.6 Witch-doctor (3 sub) S.7 Unnatural death S.8 Collective fine	S.4 Identify/accuse+abet S.5 Death S.6 Suicide S.7 Criminal force S.8 Modesty/parade S.9 Torture S.10 Reputation S.11 Misfortune S.12 Evidence S.13 Attempt S.14 Abetment S.15 Community
Self-Claiming Witch Identifying Powers an Offence?	Without this, the Ojha can publicly declare his power to identify witches and face no consequence until after a woman is harmed. With it, he can be arrested at the moment of proclamation, before anyone is attacked/harmed.	No	No	Yes – S.7: claims power to harm by black magic and publicises it. Up to 1 yr RI + fine.	No	No	Covered under broad Abettor/Identifier definition
Attempt to Commit an Offence?	Without this, police can only act after harm is done. With it, intervention is possible while the accusation is being organised, converting the law from reactive to preventive.	No	No	Yes – S.8: same penalty as substantive offence	No	No	Yes – S.13
Community / Collective Participation an Offence?	Witch-hunting is community-sanctioned, not individual. Without collective liability, the village that organised and watched the violence faces nothing.	No	No	No	No	Yes – S.8: collective fine on inhabitants abetting witch-hunting; proceeds for victim rehabilitation.	Yes – S.15: Fine ₹5,000–₹30,000 per person. Non-payment: up to 1 yr imprisonment.
Attributing Misfortune to a Person Criminalised?	Without criminalising attribution, the causal chain leading to violence is legally invisible and cannot be interrupted at its earliest stage.	No	No	No	No	No	Yes – S.11: punishes attributing misfortune, disease, accident, or death to a branded person
Humiliation Acts Separately Criminalised? (naked parade, forced eating, face-painting)	When subsumed under generic harm provisions, naked parades and forced eating attract the same low penalty as a minor assault. Separate criminalisation reflects actual severity and enables multiple charges for a single incident.	No – subsumed under causing harm (S.4)	No – subsumed under causing harm (S.4)	No – subsumed under harassment (S.5)	Yes – S.4(2): forced substance, painted-face parade, acts derogatory to dignity, displacement. Min. 1 yr RI.	Yes – S.4(2): as Odisha. Min. 3 yrs RI.	Yes – S.8 (modesty, stripping, parade): 5–10 yrs RI + fine ₹10,000–50,000
IPC Provisions Explicitly Incorporated?	Without explicit incorporation, prosecutors default to IPC alone and the state Act's specific protections, compensation, rehabilitation, and awareness never activate even after conviction.	No	No	No	Not specified	Yes – S.10 incorporates IPC Ss.34, 149 and Chapters III, IV, V, VA, XXIII	Yes – S.31. Death cases attract S.302 IPC (S.5).

Table 3: Provisions

Provision	Implications	Bihar	Jharkhand	Chhattisgarh	Odisha	Rajasthan	Assam
Shelter / protective homes	A displaced survivor has nowhere to go without state-run shelters.	No	No	No	No	No	Yes
Mandatory compensation from fine	Discretionary compensation means courts can, and often do, award nothing.	No	No	No	Yes (partial)	Yes (60%)	Yes
Free legal / medical aid (in Act)	Without a statutory right, survivors depend on inconsistent general services.	No	No	No	No	Yes	Yes
Rehabilitation provisions	Conviction without material support leaves survivors without income or livelihood.	No	No	No	No	Partial	Yes
Mandatory official reporting	Without this, an official who knows a case is happening has no duty to act.	No	No	No	No	No	Yes
Land / property disqualification	Land is the primary motive; without this, a convicted perpetrator still keeps the land.	No	No	No	No	No	Yes
Awareness / prevention mandate	Permissive ("may") clauses make prevention work optional, not an enforceable obligation.	No	No	No	Partial	Partial	Yes
Mandatory awareness + health infra	Witch-hunting is most prevalent where healthcare is absent; without this, that gap stays unaddressed.	No	No	No	No	No	Yes

Table 4: Provisions (contd)

Provision	Implications	Bihar	Jharkhand	Chhattisgarh	Odisha	Rajasthan	Assam
Minimum sentence	No minimum lets courts hand down token sentences, technically lawful, practically meaningless.	No	No	No	Partial	Yes	Partial
Non-compoundable	Compoundable cases end the moment community pressure forces the survivor to settle.	No	No	No	No	No	Yes
Anticipatory bail barred	If permitted, the accused gets bail before arrest and time to pressure the survivor to withdraw.	No	No	No	No	No	Yes
Special Courts	Without dedicated courts, cases wait years in overloaded regular courts; delay is itself attrition.	No	No	No	No	No	Yes
Victim compensation (in Act)	Without this, even a conviction leaves the survivor with nothing material.	No	No	No	Partial	Yes (60%)	Yes