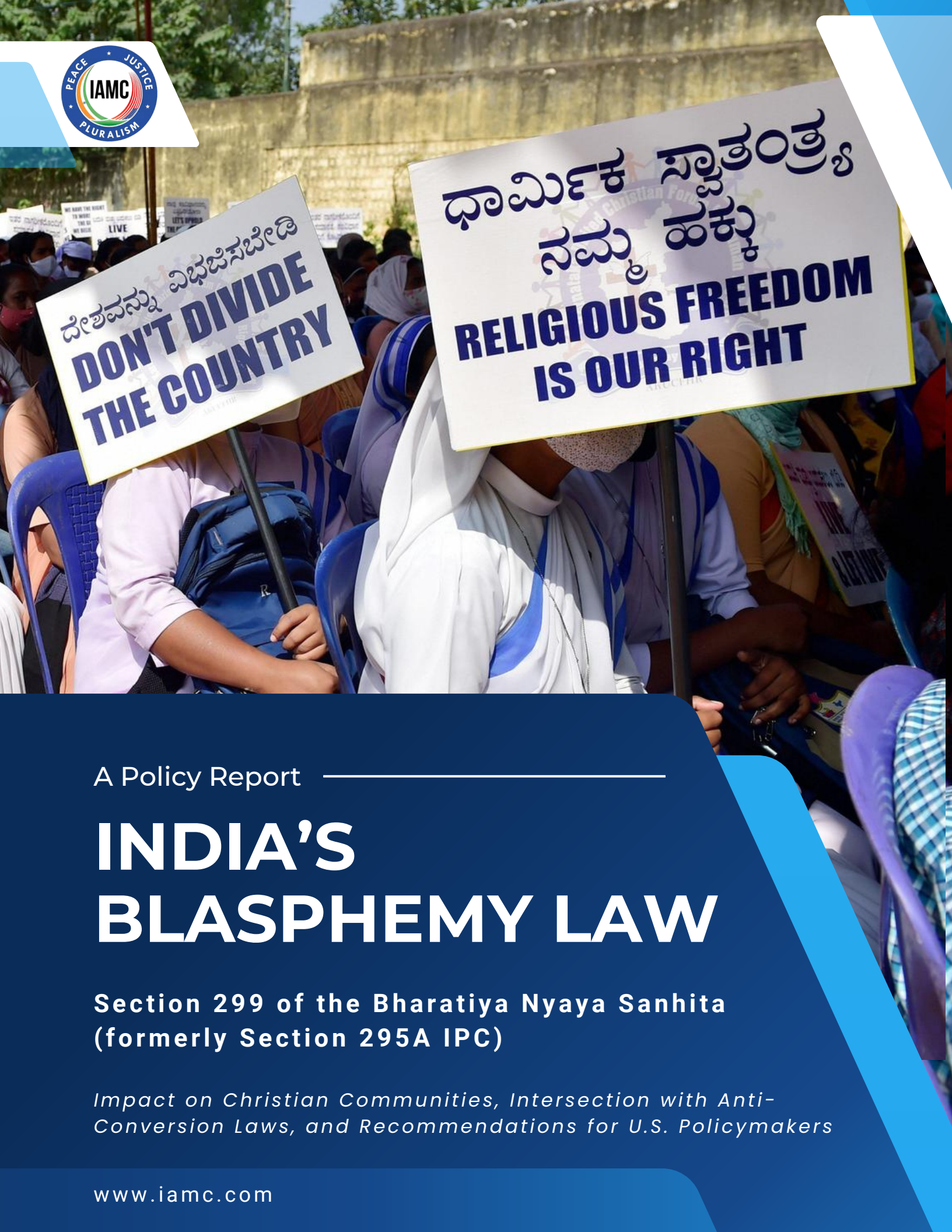




A Policy Report

# INDIA'S BLASPHEMY LAW

Section 299 of the Bharatiya Nyaya Sanhita  
(formerly Section 295A IPC)

*Impact on Christian Communities, Intersection with Anti-  
Conversion Laws, and Recommendations for U.S. Policymakers*

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The Indian American Muslim Council (IAMC) is a Washington, D.C.-based advocacy organization with chapters across the United States. A 501(c)(3) tax-exempt non-profit established in 2002, IAMC is the largest advocacy and human rights organization representing the Indian Muslim diaspora.

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- To preserve the pluralistic and democratic ethos enshrined in the constitutions of the United States and the Republic of India;
- To facilitate increased interfaith and inter-community understanding in the United States, with the goal of safeguarding American society and institutions from hateful ideologies responsible for violence in India;
- To increase awareness about India in order to improve cultural and trade relations between the United States and the Republic of India.

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# Executive Summary

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India retains a colonial-era blasphemy-type provision, long codified as Section 295A of the Indian Penal Code (IPC) and, since 1 July 2024, re-enacted in nearly identical terms as Section 299 of the Bharatiya Nyaya Sanhita (BNS), 2023.<sup>1</sup> The provision criminalizes “deliberate and malicious” acts “intended to outrage the religious feelings” of any class of citizens, punishable by up to three years’ imprisonment, a fine, or both. It is a cognizable, non-bailable, and non-compoundable offense, meaning police may arrest on the basis of a complaint without a warrant, bail is not a matter of right, and the complainant cannot simply withdraw the case.

The US Commission on International Religious Freedom (USCIRF) has formally classified Section 295A as a functioning blasphemy law and has ranked India among the world’s most frequent enforcers of such laws.<sup>2</sup> When this blasphemy-type provision is combined with the state-level “anti-conversion” statutes now in force in roughly 14 Indian states, the result is a self-reinforcing legal architecture that produces what this report terms a carceral population of religious-minority believers, disproportionately Christians and Muslims, detained, prosecuted, and in some cases convicted for ordinary religious expression and practice.

Broadly, this policy report examines Section 299 of BNS and its growing role as the principal blasphemy provision in Indian criminal law.

Although the Indian Constitution proclaims India a secular republic and Article 25 guarantees the right to profess, practice, and propagate religion, the legal architecture surrounding religious expression has increasingly been weaponized against minority faith communities, especially Christians and Muslims. Along with state-level anti-conversion statutes, BNS Section 299 has facilitated the systemic persecution of religious minority communities, with both provisions being used to arbitrarily detain and incarcerate their members.

BNS 299 retains all of the structural defects of its colonial predecessor, Section 295A IPC, which was enacted by the British in 1927. The 2023 successor provision additionally codifies “electronic means” as a covered medium of offense, thereby extending the law’s chilling effect into the digital space.

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<sup>1</sup> <https://indiankanoon.org/doc/152296772/>

<sup>2</sup> <https://www.uscifr.gov/news-room/releases-statements/uscifr-releases-groundbreaking-report-enforcement-blasphemy-laws>

Second, India's 14 state-level anti-conversion laws, sometimes called "Freedom of Religion" Acts, operate in tandem with BNS 299 to create a dual-track system of legal jeopardy for religious minorities. A Christian pastor who preaches the gospel can be charged simultaneously with "outraging religious feelings" under BNS 299 and with conducting an "unlawful conversion" under state law. In Prime Minister Narendra Modi's party Bharatiya Janata Party (BJP) ruled Uttar Pradesh state, the maximum penalty for the latter offense is now life imprisonment. Earlier this year, Chhattisgarh state passed the Chhattisgarh Freedom of Religion Bill, the most draconian anti-conversion law,<sup>3</sup> with seven years to life imprisonment, and fines of up to INR 2.5 million (nearly \$27,000) for mass conversions.

Third, the human cost of this legal regime has risen sharply over the past decade. The United Christian Forum documented 834 verified incidents of violence against Christians in 2024, up from 127 in 2014, a more than five-hundred percent increase. Open Doors documented over sixty attacks on Christians during the 2025 Christmas period alone, and its India partner reported more than 2,900 incidents of Christian persecution between January and November 2025. Its World Watch List 2026, an annual ranking that evaluates the 50 countries where following Christianity carries the greatest risk, reported 1,600 cases of Christians detained, arrested, or imprisoned in India.<sup>4</sup>

Fourth, the United States Commission on International Religious Freedom (USCIRF) has recommended for seven consecutive years that India be designated a Country of Particular Concern (CPC) under the International Religious Freedom Act. The US Department of State has repeatedly declined to act on that recommendation, even as documented violations have intensified.

This report concludes with a detailed set of policy recommendations directed at the US Department of State, the IRF office, USCIRF, and the US Congress. The central recommendation is that the United States designate India as a CPC and adopt targeted, calibrated, and durable measures designed to incentivize the repeal or substantial reform of BNS 299 and the constellation of state anti-conversion laws.

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3 <https://persecution.org/2026/04/21/christians-protest-anti-conversion-law-in-chhattisgarh/>

4 <https://www.ktn.com/world-watch-list-2026-exposes-global-christian-persecution/>

# The Religious Demography and Political Context

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India is the world's most populous nation and home to one of the world's most religiously diverse populations. According to the 2011 census, the country's approximately 1.4 billion people are roughly 79.8 percent Hindu, 14.2 percent Muslim, 2.3 percent Christian, 1.7 percent Sikh, 0.7 percent Buddhist, and 0.4 percent Jain, with smaller numbers of followers of indigenous tribal religions, Zoroastrians, and Jews. Christianity in India predates Christianity in much of Europe; tradition holds that the apostle Thomas brought the faith to the Malabar Coast in the first century. Today, Christian communities are concentrated in the southern states of Kerala, Tamil Nadu, and Goa, in the northeastern states of Nagaland, Mizoram, Meghalaya, and Manipur, and among Dalit and tribal communities in central and northern states such as Chhattisgarh, Madhya Pradesh, Jharkhand, Odisha, and Uttar Pradesh.

Despite the constitutional guarantees of Articles 14, 19, 21, and 25, which together protect equality before the law, freedom of speech and expression, the right to life and personal liberty, and the right to freely profess, practice, and propagate religion, religious minorities in India have faced systematic persecution during the past decade. This pressure has taken multiple forms: legislative restrictions through anti-conversion statutes; selective police enforcement of broadly drafted criminal provisions such as BNS 299; mob violence by Hindu nationalist organizations; hate speech and social ostracism that compromises housing, employment, education, and even the right to bury the dead.

The Bharatiya Janata Party (BJP) has held power at India's federal level since May 2014 under Prime Minister Narendra Modi, and was reelected in 2024 to a third term. The BJP is ideologically aligned with the Rashtriya Swayamsevak Sangh (RSS), a fascist paramilitary Hindu nationalist organization founded in 1925.<sup>5</sup>

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<sup>5</sup> <https://www.loc.gov/item/icwaN0002938/>

The RSS and its affiliated militant organizations<sup>6</sup> like Bajrang Dal, Vishwa Hindu Parishad and others, collectively known as the Sangh Parivar, advance the political philosophy of Hindutva or Hindu nationalism, which holds that Indian national identity is fundamentally Hindu and that non-Hindu religious traditions, particularly Islam and Christianity, represent foreign incursions to be resisted, contained, or reversed.



Rohan Dua / TNN

This ideological orientation produces concrete legislative and administrative consequences. Fourteen of India's twenty-eight states have now enacted anti-conversion laws. State governments controlled by the BJP have used cow-protection laws, citizenship reforms such as the Citizenship Amendment Act, National Register of Citizenship,<sup>7</sup> Special Intensive Revision of electoral rolls and the demolition of homes and religious structures of minorities as instruments to apply pressure on the communities. The federal government has frozen the foreign funding licenses of mostly Christian charitable organizations under the Foreign Contribution (Regulation) Act.<sup>8</sup>

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6 <https://timesofindia.indiatimes.com/india/vhp-a-militant-religious-outfit-rss-nationalist-cia-factbook/articleshow/64594295.cms>

7 <https://www.uscifr.gov/resources/factsheet-citizenship-amendment-act-india>

8 <https://releaseinternational.org/christianmissionindia/>

# A Blasphemy Law by Another Name: Section 299 of BNS

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Section 299 of the Bharatiya Nyaya Sanhita, 2023 reads in pertinent part:

*Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or through electronic means or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.<sup>9</sup>*

The principal innovation of BNS 299 over its predecessor is the explicit inclusion of “electronic means” as a covered medium. Under IPC 295A, prosecutors had to argue that social-media posts, WhatsApp messages, YouTube videos, and similar online content fell within the older language of “signs” or “visible representations.” BNS 299 forecloses that interpretive question and confirms that the law reaches all forms of digital expression.

The BNS 299 is classified as a cognizable, non-bailable, and non-compoundable offense, triable by a Magistrate of the First Class. Each of these classifications has significant practical consequences:

- Cognizable means that the police are authorized to register a First Information Report and to arrest the accused without obtaining a warrant from a magistrate. A complaint by any person (not only the alleged victim) is sufficient to trigger this power.
- Non-bailable means that bail is not granted as a matter of right. The accused must apply to a court, and the court has discretion to refuse bail in light of the severity of the alleged offense, the risk of flight, or the asserted possibility that bail would inflame community tensions.
- Non-compoundable means that the offense cannot be settled or withdrawn through private agreement between the complainant and the accused. Once an FIR has been registered, the matter must proceed through the criminal justice system.

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<sup>9</sup> <https://www.leadindia.law/bns-section-299-deliberate-and-malicious-acts-intended-to-outrage-religious-feelings-of-any-class-by-insulting-its-religion-or-religious-beliefs>

The combined effect of these procedural features is to create a structure in which the mere filing of a complaint imposes substantial costs on the accused, including immediate arrest, detention pending bail, and the long pendency of criminal proceedings, even when the underlying allegation is later determined to be unfounded. Legal scholars have observed that this creates a chilling effect on speech relating to religion, since speakers must reckon with the prospect of arrest based on any third-party complaint, regardless of the eventual outcome at trial.

Few liberal democracies retain blasphemy laws today. The United Nations Special Rapporteurs on Freedom of Religion and Freedom of Expression have repeatedly urged states to repeal blasphemy and sacrilege statutes, characterizing them as incompatible with international human-rights law.

India, therefore, stands among a diminishing minority of nations, alongside Pakistan, Bangladesh, Nigeria, and several Gulf states, that retain operative blasphemy provisions. The contrast is particularly stark when India's status as a constitutional democracy is set alongside the Pakistani example, where blasphemy allegations have led to imprisonment, lynching, and the systematic targeting of religious minorities.

USCIRF's landmark global study, *Violating Rights: Enforcing the World's Blasphemy Laws*, examined enforcement from 2014 to 2018 and identified India among the top enforcers of blasphemy laws worldwide, alongside Pakistan, Iran, Russia, Egypt, and Indonesia.<sup>10</sup>

India ranked fourth globally with 51 reported enforcement cases, behind only Pakistan (184), Iran (96), and Russia (58), and ahead of Egypt and Indonesia. USCIRF Chair Gayle Manchin noted that it was "no coincidence" that the top six countries with the highest number of blasphemy cases were all among those USCIRF identifies as the world's worst violators of religious freedom. India's enforcement stems chiefly from Section 295A of the Indian Penal Code (now Section 299 of the *Bharatiya Nyaya Sanhita*), which criminalizes "deliberate and malicious" acts intended to outrage religious feelings and functions as a blasphemy provision; consistent with the report's global findings, a notable share of cases worldwide, more than one-quarter (27%) of reported cases implicated alleged blasphemous speech posted on social media, and across the dataset, mob activity, violence, or threats coincided with state enforcement in 78 of the 674 state-enforcement cases, a dynamic that maps onto the vigilante-driven complaints documented against Christians and Muslims in India.

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<sup>10</sup> <https://www.uscifr.gov/news-room/releases-statements/uscifr-releases-groundbreaking-report-enforcement-blasphemy-laws>

In its 2025 Issue Update on India, USCIRF stated plainly that Article 295A (Section 299 of BNS) of the penal code “functions as a blasphemy law by criminalizing actions deemed to ‘outrage religious feelings.’ ” The defining hallmark of a blasphemy law, the criminal protection of religious doctrine and feeling from “insult” is present on the face of the statute.

USCIRF’s position of principle is that such laws are inherently incompatible with international human-rights guarantees: the freedom to hold and express beliefs “including those that others might deem blasphemous” is protected under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which India is a party.<sup>12</sup>

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<sup>11</sup> [https://www.uscifr.gov/sites/default/files/2025-](https://www.uscifr.gov/sites/default/files/2025-11/2025%20Issue%20Systematic%20Religious%20Persecution%20in%20India%20(002).pdf)

[11/2025%20Issue%20Systematic%20Religious%20Persecution%20in%20India%20\(002\).pdf](https://www.uscifr.gov/sites/default/files/2025-11/2025%20Issue%20Systematic%20Religious%20Persecution%20in%20India%20(002).pdf)

<sup>12</sup> <https://www.uscifr.gov/sites/default/files/Blasphemy%20Laws%20Report.pdf>

# Anti-Conversion Laws

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Fourteen of India's twenty-eight states currently have anti-conversion laws on the books. The Punjab also has a pending sacrilege legislation. These laws share several structural features that compound the difficulties for religious minorities. Each law uses some combination of broadly worded prohibitions on "force," "fraud," "allurement," and "undue influence," without precise definitions of these terms. "Allurement" is the most consequential of these terms in practice: courts and police have interpreted it to encompass not only material inducements such as money or property, but also the offer of education, healthcare, food assistance, and even spiritual benefits such as forgiveness of sins or eternal life. Under such an interpretation, virtually any Christian charitable activity or evangelistic message can qualify as "allurement."



Christian activists display placards in a peaceful protest rally in New Delhi. / Getty

Each law also requires advance notice to a government official, typically a district magistrate, before a conversion can be performed. The required notice period varies (commonly thirty to sixty days), but in each case the requirement transforms what is constitutionally a private religious choice into a regulated administrative event. The district magistrate may, in many states, conduct an inquiry into the bona fides of the proposed conversion, and may refuse permission if he or she concludes that the conversion does not satisfy the statutory criteria.

Each law also reverses the burden of proof. Once a charge has been filed, the burden falls on the accused to demonstrate that no force, fraud, allurement, or undue influence was used. This reversal, unusual in criminal law generally, magnifies the practical effects of the statute, since defendants must affirmatively prove a negative.

Chhattisgarh's anti-conversion law, formally the Chhattisgarh Freedom of Religion Bill (Dharm Swatantraya Vidheyak), 2026, is widely regarded as the most draconian anti-conversion legislation in India. Passed by the State Legislative Assembly in March 2026. The so called illegal conversions have been classified as cognizable and non-bailable offences, allowing police to act without a warrant and effectively denying immediate bail to the accused. Any attempt at conversion through coercion, inducement, or misrepresentation, whether physical or digital, attracts imprisonment of seven to ten years along with a fine of 5 lakh rupees, while organising mass conversions invites ten years to life imprisonment and a minimum fine of 25 lakh rupees.

Critics highlight that "mass conversion" is defined as merely two or more persons in a single event, meaning even a husband and wife embracing a new faith together could be prosecuted, and that online content such as a pro-Christianity social media post could potentially attract charges, while reconversion to Hinduism remains exempt. The law further imposes a heavy procedural burden, requiring individuals to submit a formal declaration to the District Magistrate before converting, mandating a 30-day public objection window, and obliging interfaith couples to notify authorities at least 60 days in advance of marriage.

The law clearly operates on a "guilty until proven innocent" basis and is framed as a "freedom of religion" measure while doing the exact opposite.

# Intersection of BNS 299 and Anti-Conversion Laws

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BNS 299 and the state anti-conversion laws operate independently, each is a free-standing source of criminal liability, but they are deployed together in many cases. This compound deployment produces several distinct legal and practical effects that together constitute the most significant threat to Christian religious life in contemporary India.

First, the two regimes target different elements of Christian practice. BNS 299 targets the content of Christian preaching: the assertion that Jesus Christ is the unique savior, the criticism of idolatry, the proclamation of biblical doctrine, and similar statements that may be characterized by complainants as insulting to Hindu beliefs. The state anti-conversion laws target the relational and pastoral dimensions of Christian ministry: the offering of food, healthcare, education, prayer for healing, or spiritual counseling, each of which can be reframed as “allurement.” Together, these regimes touch nearly every aspect of pastoral ministry.

Second, the two regimes can be invoked simultaneously. When a Hindu nationalist organization files a complaint against a Christian pastor, both BNS 299 and the relevant state anti-conversion law are typically charged. The pastor must therefore mount a defense on multiple legal fronts simultaneously, which substantially increases legal costs and the practical burden of pretrial detention.

Third, both regimes are cognizable, and most are non-bailable. The arrested pastor’s economic, social, and psychological costs are therefore extreme even when the underlying complaints are weak. Days, weeks, or months in custody before bail erodes the pastor’s ability to provide for his family, maintain his congregation, and continue his ministry. In the case of Pastor Vikas Nimach, nine months in pretrial detention preceded the eventual conviction.

In operational practice, the two regimes are typically invoked through the following sequence:

1. A Hindu nationalist organization receives information, often from an informant within the Christian community or from a passerby, that a Christian gathering is taking place.
2. Members of the organization arrive at the gathering, sometimes accompanied by a few non-affiliated villagers whose participation lends an appearance of grassroots concern.
3. They confront the pastor, accuse him of conducting forced conversion, and may engage in physical violence against the pastor and the congregation.
4. They contact the police, who arrive and without conducting any independent investigation they arrest the pastor and in many cases congregants.
5. An FIR is registered under both BNS 299 (for the religious content of the preaching) and the state anti-conversion law (for the alleged forced conversion).
6. The pastor is taken into custody and may remain there for weeks or months before bail is granted.
7. The local media reports the arrest, often using language that presumes the pastor's guilt. The pastor's reputation in the community is severely damaged regardless of the eventual outcome.
8. Even if the case is eventually dismissed, the pastor and his family face ongoing harassment and the church may be effectively shuttered.

The pattern is documented in detailed case reports by the Evangelical Fellowship of India Religious Liberty Commission, Open Doors, International Christian Concern, and others. It has been replicated across the BJP-governed states with considerable consistency.

# Impact on Christian Communities in India

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The most comprehensive tracking of anti-Christian violence in India is conducted by the United Christian Forum (UCF), a New Delhi-based ecumenical body. The UCF maintains a national toll-free helpline through which Christians can report incidents of harassment, threat, intimidation, physical assault, property damage, and arrest. The trend line in UCF data is steeply upward.

In 2014, the year the BJP first came to national power, the UCF documented 127 verified incidents of violence against Christians. By 2021, the figure had risen to 486. By 2023, the figure had reached 734. In 2024, the figure rose to 834, a more than five-hundred percent increase over the 2014 baseline. Preliminary 2025 data tabulated by Christian Solidarity International suggest that the figure rose to approximately 900 in 2025, making 2025 the most violent year for Indian Christians.<sup>13</sup>



persecution.org

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<sup>13</sup> <https://www.csi-int.org/news/2025-marked-fifth-consecutive-year-of-record-violence-against-christians-in-india/>

These figures reflect only verified incidents. The true number is almost certainly higher, since many Christians, particularly those in rural areas and among Dalit and tribal communities do not report incidents because of fear of further reprisal, distrust of police, or lack of awareness of reporting mechanisms.

Anti-Christian incidents are concentrated heavily in a small number of Indian states. The two epicenters are Uttar Pradesh and Chhattisgarh, both of which are governed by the BJP and both of which have aggressive anti-conversion legislation. In 2024, Uttar Pradesh recorded 209 incidents and Chhattisgarh recorded 165, together accounting for forty-five percent of the national total. Other significant hotspots include Madhya Pradesh, Jharkhand, Odisha, Rajasthan and Bihar.

Within these states, persecution is concentrated among tribal (Adivasi) and Dalit Christians, who are perceived by Hindu nationalist organizations as natural converts to Hinduism rather than to Christianity. Rights advocates have observed that Christians face coercion, social boycotts, and violence, and are often denied burial rights, housing, and basic dignity. Pressure to “reconvert” to Hinduism often described by Christian leaders as the only genuine forced conversion taking place in India and is frequent and sometimes accompanied by violence.

A consistent pattern in anti-Christian incidents is the involvement of Hindu nationalist vigilante organizations. The most frequently named are the Rashtriya Swayamsewak Sangh (RSS), Bajrang Dal, the Vishwa Hindu Parishad (VHP), Vanvasi Kalyan Ashram<sup>14</sup> and various local Sangh Parivar affiliates. These organizations typically monitor Christian gatherings, often by infiltrating prayer meetings or relying on local informants, before descending on the gathering en masse. They then confront pastors and congregants with accusations of forced conversion and of offending the sentiments of the majority religion by allegedly converting Hindus. These confrontations frequently result in physical assault, vandalization of property, and the arrest of Christians by local police.

International Christian Concern has documented numerous cases in which charges are filed against the survivors of mob attacks, typically on theories that they were engaged in forced conversion or hurting Hindu sentiments.<sup>15</sup>

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<sup>14</sup> <https://thefederal.com/category/news/rss-vanvasi-kalyan-ashram-adivasi-politics-hindutva-234453>

<sup>15</sup> <https://persecution.org/category/india/>

# Restrictions on Burial and Death

Among the most striking forms of pressure on Christian communities is the denial of burial rights. In several states, particularly Chhattisgarh, Christian families have been prevented from burying their deceased relatives in village cemeteries unless the family agrees to “reconvert” to Hinduism. In February 2026, a Christian woman in the Indian state of Chhattisgarh was denied burial despite a Supreme Court of India ruling affirming the right of Christians and other religious minorities to be buried in public cemeteries. Villagers opposed the burial and demanded ‘Ghar Wapsi’ (reconversion to Hinduism), while issuing threats that reportedly included physical assault, damage to property, and the possibility of exhumation if burial rites were performed, according to Catholic Connect.<sup>16</sup>



catholicconnect.in

In January 2025, the Supreme Court of India had upheld a decision of the Chhattisgarh High Court that effectively concluded that a Christian could be denied burial in his own village.<sup>17</sup> The case attracted international attention and was cited by USCIRF as an example of the way in which administrative and judicial systems are increasingly aligning to constrain Christian community life.

<sup>16</sup> <https://catholicconnect.in/news/burial-denied-to-tribal-christian-woman-in-chhattisgarh-village-despite-top-courts-protective-order>

<sup>17</sup> <https://persecution.org/2025/01/21/indias-supreme-court-sides-with-deceased-pastors-son-in-fight-for-right-to-christian-burial/>

# Conclusion

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Section 299 of the Bharatiya Nyaya Sanhita is the linear descendant of a colonial-era provision drafted in 1927 to address a specific religious controversy. Its structural defects, the vagueness, cognizable status, broad standing rules, and reversibility of presumption were observed at the time of its enactment by its own drafters, who attempted to limit its reach through the requirement of “deliberate and malicious intent.” Nearly a century later, that limiting principle has proved insufficient. The provision is regularly invoked against religious minorities, particularly Christians, and its effects compound the impact of state-level anti-conversion laws.

The cumulative result is a legal architecture that, despite the formal protections of the Indian Constitution, has produced more than five thousand documented incidents of anti-Christian violence over the past decade, the imprisonment of hundreds of pastors and laypeople, the closure of countless church services, and a pervasive climate of fear in many parts of the country. The pattern is not the product of isolated acts by extremist organizations operating outside the law; it is the product of a legal system in which BNS 299, the state anti-conversion laws, and the operational practices of police, prosecutors, and lower courts together generate the documented harms.

The United States has a long tradition of advocating for international religious freedom, codified in the International Religious Freedom Act of 1998 and reinforced by the Frank R. Wolf Act of 2016. India’s status as a democracy, as a strategic partner, and as the world’s most populous nation makes the application of that tradition to the Indian case particularly consequential and particularly difficult.

The recommendations in this report are designed to operate within existing statutory frameworks, to honor the strategic depth of the bilateral relationship, and to apply calibrated pressure that creates space for reform. The United States need not choose between strategic engagement with India and serious advocacy for religious freedom. The proper course is to integrate the two, and to do so consistently, deliberately, and with the moral clarity that the documented record of harm requires.

# Recommendations

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## For Department of State

**Designate India as a Country of Particular Concern:** The U.S. Department of State should, at the next annual designation cycle, formally designate India as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998. USCIRF has recommended such designation for seven consecutive years (since 2020), and the documented violations have intensified rather than abated during the intervening period. The pattern of arrests, mob violence, anti-conversion laws, and BNS 299 prosecutions documented in this report meets that statutory threshold.

**Integrate Religious Freedom Into Bilateral Engagement:** The State Department should instruct the U.S. embassy and consulates in India to integrate religious-freedom concerns systematically into bilateral communications. This should include regular engagement with affected communities, attendance by U.S. officials at events organized by Christian and Muslim civil-society organizations, raising specific cases in diplomatic conversations, and ensuring that religious-freedom concerns are discussed at every level of the bilateral relationship.

**Apply Targeted Sanctions Under the Global Magnitsky Act:** Where individual Indian officials are credibly implicated in serious religious-freedom violations, including extrajudicial detention of religious leaders, complicity in mob violence, or transnational repression directed at U.S. persons, the State Department should apply targeted sanctions under the Global Magnitsky Human Rights Accountability Act. Such sanctions are narrowly tailored, do not affect ordinary citizens, and can be lifted in response to verifiable changes in conduct. They are therefore well-suited to the calibrated approach that bilateral relations with India warrant.

**Review Arms Sales and Defense Transfers:** The State Department should institute a systematic review of pending arms sales and defense transfers to India, with religious-freedom considerations explicitly weighed. The 2025 USCIRF Annual Report recommended such a review.

**Issue Visa Sanctions Under Section 604 of IRFA:** The State Department should consider applying Section 604 of International Religious Freedom Act (IRFA), which authorizes visa denials for foreign government officials credibly implicated in particularly severe violations of religious freedom.

## For USCIRF

**Maintain the CPC Recommendation and Expand Documentation:** USCIRF should continue to recommend India for CPC designation and should expand its documentation of BNS 299 cases specifically. The transition from IPC 295A to BNS 299 in July 2024 creates an opportunity to track new prosecutions under the successor provision and to develop a comprehensive case-tracking database that can be referenced by the State Department, Congress, and civil society.

**Publish a Dedicated Issue Update on BNS 299:** USCIRF should publish a dedicated Issue Update report focused specifically on BNS 299, which would consolidate documentation of misuse, identify trends, and provide policymakers with a focused analytical resource.

**Engage Indian Civil Society and Diaspora Communities:** USCIRF should expand its engagement with Indian civil-society organizations and with Indian diaspora communities in the United States. These organizations are the principal sources of credible documentation, and their continued engagement is essential to maintaining the integrity of USCIRF's monitoring.

**Conduct an On-Site Visit:** USCIRF should formally request access to conduct an on-site visit to India, with itinerary including Uttar Pradesh, Chhattisgarh, Madhya Pradesh, Rajasthan, and Manipur. While such requests have historically been declined by the Indian government, the formal request itself is a meaningful act of diplomatic engagement and a basis for further congressional action if access is denied.

## For the US Congress

**Hold Hearings Specifically on BNS 299 and Anti-Conversion Laws:** Congressional committees with jurisdictions particularly the House Foreign Affairs Committee, the Senate Foreign Relations Committee, the Tom Lantos Human Rights Commission, and the Congressional Caucus on India and Indian Americans should hold dedicated hearings on BNS 299 and the state anti-conversion laws. Hearings should solicit testimony from affected christians, USCIRF officials, civil-society leaders, and legal scholars. The hearings should produce a public record that can support subsequent legislative and oversight action.

**Condition Specific Forms of Assistance on Religious-Freedom Benchmarks:**

Congress should consider attaching specific religious-freedom benchmarks to limited categories of U.S. assistance to India for example, certain categories of security assistance or trade-promotion programs. Such conditions should be carefully calibrated to avoid disrupting humanitarian assistance, educational exchanges, or other forms of engagement that benefit ordinary Indians.

**Increase Funding for Religious-Freedom Monitoring:** Congress should increase appropriations for the State Department's Office of International Religious Freedom and for USCIRF, with specific direction to expand monitoring of India. The current monitoring resources are insufficient given the scale of documented violations and the size of India's population.



## **Peace, Pluralism and Justice**

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