

FASTING & POLITICAL BLACKMAIL (REGULATION) BILL, 2011

An Act to create an effective framework for regulating the lawful practice of fasts, hunger strikes and other forms of political blackmail through the establishment of a Fasting Regulatory Authority, that shall also be known as Jan Vrat Pal.

1. Short title and commencement:

- (1) This Act may be called the Fasting & Political Blackmail (Regulation) Act, 2011, or the Jan Vrat Pal Act.
- (2) It shall come into force on the one hundred and twentieth day of its enactment.
- (3) Fasting for the purposes of voluntary or peer-pressured religious observances shall be exempt from the provisions of this Act.
- (4) The Union President, the Union Prime Minister and the Chairperson of the National Advisory Council shall be exempt from the provisions of this Act.

2. Equality

- (1) All Fasters shall be treated equally, regardless of race, religion, standing and credit rating.

3. Definitions:

- (1) A Fast means any act of voluntary non-consumption of any solid or semi-solid food, or beverages exceeding 20 kilo calories per 330 ml in a three-hour period; *and*, conducted in the presence of mainstream media.

4. Prohibitions

- (1) No person under the minimum age for the consumption of alcoholic beverages obtaining in any State in Union shall be permitted to fast. People below the permitted minimum age, may, however, carry wax-fuelled simple combustion based illuminating devices after sunset or 7pm, whichever is earlier.
- (2) A successful Fast unto Death will only be permitted three times during the lifetime of an individual.
- (3) No person by reason of unsoundness of mind or intoxication or by reason of deception shall be considered to have fasted.
- (4) Fasters may not fast within 100m from any licensed restaurant, cafe or drinking house.
- (5) Fasting is not permitted in government premises, property & rolling stock of Indian Railways, airports & aircraft.

- (6) No one may fast within 100m of the Line of Control, Line of Actual Control and international border
- (7) No person under permanent service to any State or Union government department, including police and armed services are permitted to fast unless authorised by the respective State or Union government.

5. Arrangements

- (1) Each district will earmark separate areas, preferably in the form of perfect geometric shapes in order to assist succinct media description of the same.
- (2) Fasting areas shall offer public amenities and comply with prevailing safety regulations. At least three parking spaces, no less than 200cm X 300 cm shall be made available for mobile broadcasting vehicles, of which at least one will be reserved for national, state and regional language media. Where Fasting is conducted by minorities, parking space reservations shall not apply.
- (3) Women fasters must be provided with enclosed spaces upon request.

6. Fasting Regulatory Authority

- (1) A Fasting Regulatory Authority, also known as Jan Vrat Pal, shall be established to administer this Act.
- (2) The National Fasting Authority shall comprise of eleven individuals in good standing, preferably with previous fasting experience. They shall have a term of 5 years.
- (3) To avoid conflict of interest, the Jan Vrat Pal and its officials shall not be permitted to Fast as long as they are in office.
- (4) The chairperson of the National Fasting Authority shall be selected by a committee that includes at least one television chef with not less than 52 half-hour-equivalent episodes, one five-star Michelin chef of Indian-origin, Nobel prize winner of Indian-origin and a Magsaysay award winner of Indian-origin. In the event of unavailability of such individuals, eminent persons from civil society shall appoint eminent persons from civil society.
- (5) Government will appoint such persons as it thinks fit, having the prescribed qualifications, to be Inspectors of Fasts.

7. Conditions for the conduct of Fasts

- (1) Applications to Fast must clearly identify the Fasters and Fastees, and must be submitted in triplicate 48 hours in advance.

- (2) Fasters must, at the time of application, specify the reasons of their Fast & conditions of termination thereof.
- (3) A citizen will be permitted to fast for only one cause at a time.
- (4) Fasters cannot fast on behalf of others. Commutative, additive and distributive laws shall not be applicable. Fasters who cause others to fast by financial or other inducements shall be fined up to Rs 5000 and one year of rigorous imprisonment.
- (5) Fasters must specify consumption of liquids, including calorific value and purity levels.
- (6) An officer of the rank of Superintendent of Police or above can force feed the faster after giving due warning in writing.
- (7) No fast shall be deemed to have started or been broken unless certified by the National Fasting Authority.
- (8) Fasters must obtain a certificate from a registered medical practitioner certifying that they were full when the fast started.
- (9) Fasters must record their weight, blood sugar count and blood pressure every 3 hours and file it with the sub-registrar.
- (10) Fasters cannot claim rations or entitlements under the food security act for the entire duration of their fast.
- (11) Income from fasts by way donations, extortion and misappropriation shall attract Income Tax at the prevailing rates. Fasters cannot claim tax exemptions or dearness allowance for the duration of the fast
- (12) No commercial advertisements of any kind are permitted within 50m from the location of the fast.
- (13) Withdrawing from a Fast before fasting, also known as pulling a fast one, shall be permitted. It shall be counted as a Fast for the purposes of Section 4(2) of this Act.

8. Dispute resolution

- (1) Where two or more individuals or groups of Fasters go on a Fast until Death over a zero-sum dispute, the Government shall serve notice to all Fasters on the need to resolve the dispute using judicial or electoral means.
- (2) In the event that two or more individuals or groups of Fasters continue their Fasting despite being served a notice under Section 8(1) above, the Fasting Regulatory Authority's Inspector of Fasts shall allow the Fasts to proceed. The individual or group of Fasters that Fasts longer shall be deemed to have prevailed.

(3) Individuals or groups of Fasters who do not prevail in such circumstances may not Fast on for the same reason for a period of three calendar years. This is without prejudice to other individuals or groups Fasting for the same purpose, or the same individuals or groups seeking recourse to judicial or electoral methods.

9. Power to make regulations

(1) The Union Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) This Act shall be applicable to territorial and extra-territorial States, and Union Territories of India, and in the case of Jammu & Kashmir, after ratification by the State Assembly.

(3) No suit, prosecution or other proceeding shall lie against the Government for anything done in good faith, in pursuance of its duties under this Act.

(4) The Union government shall make every attempt, especially at the United Nations General Assembly and the Security Council, and the Non-aligned Movement, to sponsor a UN Resolution on Fasting, that shall universalise the principles enshrined in this Act.

This Bill has been compiled using inputs from members of the civil society including @Acorn, @Pragmatic_D, @Calamur, @Filter_C, @SudhaKanago, @Smitaprakash. The full list of participants and their deliberations is available at <http://is.gd/fastingbill2011>