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Breaking: Bombay High Court Bans Propagation For Sales Of Item Claiming Miraculous or Supernatural Powers via Television Advertisement

TV channel, telecasting such advertisement, would be liable under the provisions of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013: #BombayHC

The Petitioner, through his plea, stated that he came across advertisements on TV channels which were propagating that there were special, miraculous and supernatural properties/qualities in Hanuman Chalisa Yantra, which the advertiser was selling.

The claim of the seller like after achieving Siddhi, special power, the 'Baba' has created Yantra leads to inference that the seller claims that the Baba has power of 'black' magic.

"It can be said that atleast basic education is available to everybody in this State. Though these things are there, the scientific temper and the spirit of inquiry and reform are not yet developed.

Even many educated and highly educated persons get attracted to the things like mantra-tantra, black magic."

"Due to this superstitious approach of rich and poor, the educated and uneducated persons they are being exploited by so-called Babas by selling articles by giving them names like Yantra, Ganda etc.

Due to such situation, even in the State like Maharashtra, which claims to be a progressive State and State of reformist, the Black Magic Act was required to be enacted."

State Government and the Central Government have been directed to create Cells in Mumbai to see that no such advertisements are telecast on TV channels by separate advertisement or in the name of programmes in the State of Maharashtra.

The State Government has also been directed to see that the telecast of such advertisement on TV channels is stopped immediately in coordination with the authority created by the Central Government under the Cable Television Networks (Regulation) Act, 1995.

If such authority is not in place, Centre has been asked to appoint such authority within one month and if such authority is not appointed , the State has been made entitled to use the provisions of the Maharashtra Black Magic Act, 2013 for stopping the telecast of such Ads