Maharashtra Special Public Security Bill, 2024

***Prelims**: Current Events of National and International Importance*

Why in the News?

Recently the Maharashtra Assembly passed the Maharashtra Special Public Security Bill, 2024, aimed at preventing "unlawful activities of Left-Wing Extremist organisations or similar groups".

Key features of the bill

- The Bill defines certain activities by an ***individual or an organisation as unlawful.***
- **Unlawful Activities mentioned in the bill -** Any action or speech that constitutes
  - Danger to public order,
  - Incites violence,
  - Disrupts communication, or
  - Encourages disobedience to established law and its institutions.
- **Advisory Board -** The Bill constitutes an Advisory Board to examine the decision to designate an organisation as unlawful.
- The designation comes into effect only after approval from the Board.
- **Offences under the Bill -** Being a member of an unlawful organisation, attending its activities, promoting its meetings, managing its affairs, or planning or committing unlawful activities.
- Contributing or soliciting contributions as a non-member will also be punishable.
- **Penalties and Enforcement -** Offences are ***cognisable and non-bailable,*** with jail terms of 2–7 years and fines up to Rs.5 lakh.
- **Forfeiting properties -** Authorities can seize and forfeit properties and funds linked to unlawful groups, sometimes before trial, with limited judicial oversight.
- **Administrative Powers -** District magistrates and police commissioners can notify, evict, and seize assets tied to banned organisations.
- The Bill allows for expedited prosecution, bypassing higher-level approval for certain actions.

Similar Laws in Other States

• **Chhattisgarh Vishesh Jan Suraksha Adhiniyam, 2005** - Empowers the state to ban extremist organisations, seize assets, and prosecute members, upheld by the High Court in 2014.
• **Andhra Pradesh Public Security Act,1992 -** Provides for banning Naxal organisations and criminalising support structures.
• **Telangana and Odisha Public Security Laws** -Telangana inherited Andhra Pradesh's framework; Odisha uses the Indian Criminal Law Amendment Act, 1908, to ban extremist groups.
• **Common Features -** All these laws enable swift action against extremist networks, asset forfeiture, and criminalise association—Maharashtra's Bill closely mirrors these provisions.

- **Concerns – Broad and Stringent Provisions –** The bill's wide definitions could target legitimate dissent, student groups, and protest movements.
- Civil society and opposition parties argue it risks misuse, bypasses judicial safeguards, and duplicates existing laws like UAPA and MCOCA.
- **Ambiguity and Potential for Misuse -** Ambiguous definitions of "unlawful activity" and "extremist organisation" may lead to arbitrary enforcement.
- Concerns persist over civil liberties, freedom of association, and the potential chilling effect on democratic expression.
- **Balancing Security and Rights** – The Bill aims to *address urban extremism* but must ensure safeguards to prevent overreach and protect democratic freedoms, reflecting ongoing debates seen in other states.

Reference

The Hindu| Maharashtra Special Public Security Bill, 2024

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