

MAHARASHTRA SPECIAL PUBLIC SECURITY BILL, 2024 - POLITY

NEWS: The Maharashtra Assembly has passed the **Maharashtra Special Public Security Bill, 2024**, aimed at curbing **unlawful activities of Left-Wing Extremist (LWE)** groups and similar organisations.

- The Bill will be tabled in the **Legislative Council** for final passage.

WHAT'S IN THE NEWS?

Key Features of the Bill

- **Scope of Applicability:**
 - The Bill applies to **individuals associated with organisations** declared **unlawful or banned** by the state.
 - Association may include **financial, material, or organisational support** to such entities.
- **Punishment Provisions:**
 - Convicted individuals can face **rigorous imprisonment ranging from 2 to 7 years**.
 - Also includes **finest and other penalties** as specified in the Bill.
- **Nature of Offences:**
 - Offences under the Act are designated as **cognisable** (police can arrest without a warrant) and **non-bailable**, underscoring their seriousness.
- **Power to Seize Funds:**
 - The Bill authorises state agencies to **seize and forfeit funds, assets, and financial instruments** linked to such organisations.
- **Burden of Proof:**
 - Prosecution can proceed **only when there is provable evidence** of association with banned groups—serving as a safeguard against arbitrary action.

Legislative Process

- **Introduction:**
 - The Bill was introduced during the **Winter Session of the Maharashtra Legislature in December 2024**.
- **Committee Scrutiny:**

- Sent to a **Joint Select Committee** comprising members from both Houses for **detailed clause-by-clause analysis** and stakeholder consultation.
- **Passage in Assembly:**
 - After a **brief two-hour debate**, the Bill was passed via **voice vote**, indicating limited opposition or dissent at the legislative stage.

📌 3. Current Context and Need

- **Frontal Organisations in Maharashtra:**
 - The state reportedly has **64 registered frontal organisations** suspected of links to extremist outfits—**highest in India**.
- **Regional Context:**
 - Similar laws exist in other conflict-prone states like:
 - **Chhattisgarh**
 - **Telangana**
 - **Andhra Pradesh**
 - **Odisha**
 - These states also face challenges related to **Naxalism, Maoism**, and other **left-wing extremist activities**.

4. Concerns and Debates

A. Definition Clarity:

- Critics argue that the **terms used in the Bill** (like “association” or “support”) are **not precisely defined**, leaving scope for **broad interpretation**.

B. Risk of Misuse:

- Civil liberties groups fear that **student unions, civil society groups, or protest movements** could be **unfairly targeted** under vague pretexts.

C. Need for Safeguards:

- Suggestions have been made to include **judicial oversight, mandatory periodic review, and clearly defined thresholds of evidence**.

Balancing Security and Rights

Merits:

- The Bill seeks to **disable organisational and financial support systems** of unlawful groups, enhancing **proactive state response**.
- Provides a **state-specific legal mechanism** that supplements central laws like the **Unlawful Activities (Prevention) Act (UAPA)**.

Cautions:

- **Broad definitions** may lead to **overreach and false implication** of innocents, especially activists and students.
- Strong laws demand **high standards of transparency, accountability, and due process** to prevent misuse.
- Safeguarding **peaceful dissent, protest, and association** is essential in a functioning **constitutional democracy**.

Comparative Insight

- The Bill draws structural parallels with:
 - **Central legislation** like the **UAPA**.
 - **Public Security Acts** in other Indian states that address **insurgency, terrorism, or separatist activities**.
- However, it is limited in scope to **Maharashtra's jurisdiction** and is tailored to its specific **internal security context**.

Conclusion

- The **Maharashtra Special Public Security Bill, 2024** represents a significant **step in strengthening state-level counter-extremism** mechanisms.
- Its success depends on **evidence-based enforcement, judicial safeguards, and a clear distinction between violent extremism and lawful expression**.
- Upholding **civil liberties** while addressing genuine **security threats** is key to preserving both **public order** and **constitutional freedoms**.

Source: <https://www.thehindu.com/news/national/maharashtra/maharashtra-assembly-passes-public-security-bill-law-wont-be-misused-cm/article69797840.ece>