



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक २३(६)]

मंगळवार, मार्च २७, २०१८/चैत्र ६, शके १९४०

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असाधारण क्रमांक ५४

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities (Amendment) Bill, 2018 (L. A. Bill No. XXXII of 2018), introduced in the Maharashtra Legislative Assembly on the 27th March 2018, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XXXII OF 2018.

A BILL

further to amend the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities Act, 1981.

WHEREAS, it is expedient further to amend the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities Act, 1981, for the purposes of hereinafter appearing ; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities (Amendment) Act, 2018. Short title.

Amendment of
long title of
Mah. LV of
1981.

2. In the long title of the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities Act, 1981 (hereinafter referred to as “the principal Act”), for the words “and Persons engaged in Black-marketing of Essential Commodities”, the words “Persons engaged in Black-marketing of Essential Commodities, Illegal Gambling, Illegal Lottery and Human Trafficker” shall be substituted.

Mah. LV
of 1981.

Amendment of
section 1 of
Mah. LV of
1981.

3. In section 1 of the principal Act, in sub-section (1), for the words “Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities”, the words “Prevention of Dangerous Activities” shall be substituted.

Amendment of
section 2 of
Mah. LV of
1981.

4. In section 2 of the principal Act,—

(1) in clause (a),—

(a) after sub-clause (v), the following sub-clauses shall be inserted, namely :—

“(vi) in the case of a person engaged in illegal gambling or illegal lottery, when he is engaged or is making preparations for engaging in any of his activities as a person, engaged in illegal gambling or illegal lottery, which affects adversely, or are likely to affect adversely, the maintenance of public order ;

(vii) in the case of a human trafficker, when he is engaged or is making preparations for engaging in any of his activities as human trafficker, which affects adversely, or are likely to affect adversely, the maintenance of public order;”;

(b) in the *Explanation*, after the words “film products” the words “or by illegal gambling or illegal lottery,” shall be inserted ;

(2) after clause (e-1), the following clause shall be inserted, namely :—

“(e-1a) human trafficker means a person who individually or as a part of a group of persons engaged in or in preparing to engage in or associated with or abets human trafficking or who commits or attempts to commit or abets the commission of offences in respect of human trafficking which are punishable under the Immoral Traffic (Prevention) Act, 1956 or section 370 or 370A of the Indian Penal Code;

(e-1b) “person engaged in illegal gambling or illegal lottery” means a person who individually or as part of a group of persons engaged in or in preparing to engage in or associated with or abets illegal gambling or illegal lottery or engaged in selling of illegal lottery tickets, or who commits or attempts to commit or abets the commission of offences in respect of illegal gambling or illegal lottery which are punishable under the provisions of the Maharashtra Prevention of Gambling Act or the Maharashtra Lotteries (Control and Tax) and Prize Competitions (Tax) Act, or the Lotteries (Regulation) Act, 1998 ;”.

104 of
1956.
45 of
1860.

IV of
1887.
LXXXII
of 1958.
17 of
1988.

STATEMENT OF OBJECTS AND REASONS.

The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities Act, 1981 (Mah. LV of 1981) provides for preventive detention of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities, upto one year, to prevent their dangerous activities prejudicial to the maintenance of public order.

2. In the State of Maharashtra, the share of the revenue from legal lottery is prominent among total revenues. However, illegal lottery and illegal gambling centers are causing revenue loss as well as public order disturbance across the State. It has also been noticed that the certain anti-social elements are engaged in human trafficking for, prostitution, forced marriages, bonded labours, organ transplantation, begging and other exploitative form of works across the State, have been posing danger to the society and thereby adversely affecting the public order.

3. The large black money generated from these illegal activities has led certain anti-social elements to engage in the illegal gambling and illegal lottery and human trafficking. The persons engaged in illegal and unauthorized lottery centres and illegal gambling and Human trafficking are prejudicial to the maintenance of public order. Therefore, strict measures have to be taken against these anti-social elements.

4. In these circumstances, the Government considers it expedient to arm itself with necessary statutory powers by bringing the persons engaged in illegal gambling, illegal lottery and human trafficking within the purview of the said Act, so that it can take recourse to the provisions thereof for preventive detention of such persons to maintain public order and thereby to prevent revenue loss and safety of the society. For that purpose, it is proposed to suitably amend the Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-offenders, Dangerous persons, Video Pirates, Sand Smugglers and Persons engaged in Black-marketing of Essential Commodities Act, 1981.

5. The Bill is intended to achieve above objectives.

Mumbai,

Dated 26th March 2018.

DEVENDRA FADNAVIS,

Chief Minister.