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Maharashtra Bill on 'Urban Naxalism' Faces Rights Concerns

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Amnesty International India has urged Maharashtra Governor C.P. Radhakrishnan to withhold assent to the recently passed Maharashtra Special Public Security Bill, citing potential impacts on constitutional and international human rights protections.

The Bill, which the state government says is aimed at countering “urban naxalism,” introduces provisions that critics say could be used to criminalize peaceful dissent. “Urban

naxalism” is not defined in Indian law, but is often used in political and media contexts to refer to alleged support for Maoist insurgencies by intellectuals and activists.

Chief Minister Devendra Fadnavis has stated the law will not target government critics. However, rights groups point to cases such as the 2018 Bhima Koregaon arrests, where several activists were detained under the Unlawful Activities (Prevention) Act (UAPA) and remain in custody without trial.

Amnesty International highlighted several key concerns:

- Discriminatory targeting – The Bill’s preamble singles out “Left Wing Extremist organizations or similar organizations,” which Amnesty says could lead to action based on political beliefs rather than proven acts of violence.
- Vague definitions – Terms like “menace to public order” are open to broad interpretation, raising concerns about restrictions on peaceful protest.
- Lack of judicial oversight – The executive can declare organizations “unlawful” without prompt, impartial court review.
- Search and seizure powers – Provisions allow searches based on an officer’s opinion, without prior judicial approval.
- Limited legal recourse – Sections bar appeals and provide immunity to officials, potentially removing accountability.
- Presumption against bail – Offences under the Bill are non-bailable and cognizable.
- Overlap with existing laws – India already has legal frameworks addressing terrorism and organized crime, such as the UAPA and MCOCA.

Supporters of the Bill argue it strengthens Maharashtra’s ability to deal with extremist threats. Critics warn it risks conflating non-violent dissent with violent extremism.

The Bill now awaits the Governor’s decision. If signed, it will add another layer to Maharashtra’s security laws, which rights advocates say could further restrict civil liberties.