



# महाराष्ट्र शासन राजपत्र

प्राधिकृत प्रकाशन

गुरुवार, डिसेंबर २१, १९७८/अग्रहायण ३०, शके १९००

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग पाच

पुढील विधेयके, इत्यादि, असाधारण राजपत्र म्हणून त्यांच्यापुढे दर्शविलेल्या दिनांकांना प्रसिद्ध झाली आहेत:—

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शुक्रवार, डिसेंबर ८, १९७८/अग्रहायण १७, शके १९००

### MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on 8th December 1978 :—

### L. A. BILL No. XXXIX OF 1978

#### A BILL

*further to amend the Bombay Police Act, 1951.*

Bom. WHEREAS, it is expedient further to amend the Bombay Police Act, 1951, for  
XXII the purposes hereinafter appearing; It is hereby enacted in the Twenty-ninth  
of Year of the Republic of India as follows :—

1. This Act may be called the Bombay Police (Amendment) Act, 1978. Short title.

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Amendment of section 56 of Bom. XXII of 1951. 2. In section 56 of the Bombay Police Act, 1951 (hereinafter referred to as "the principal Act"); for the words "and other areas for which a Commissioner has been appointed under section 7 to the Commissioner" the words "to the 1951. Chief Metropolitan Magistrate" shall be substituted.

Amendment of section 57 of Bom. XXII of 1951. 3. In section 57 of the principal Act,—  
 (i) for the words "the Commissioner" the words "the Chief Metropolitan Magistrate" shall be substituted.  
 (ii) following proviso shall be added at the end, viz.:—  
 "Provided that no such externment order shall be passed if the previous conviction has taken place beyond three years of the starting of the externment proceedings."

### STATEMENT OF OBJECTS AND REASONS

The power of externment under section 56 of the Bombay Police Act, 1951 in case of Greater Bombay is exercisable by the Commissioner of Police and in other places by the District Magistrate or Sub-Divisional Magistrate specially empowered in this behalf. This is anomalous. In the case of Greater Bombay the accuser, the prosecutor and the judge are all rolled into one. In the interest of securing justice and fair play to the externnee it is necessary that the power to extern is vested in the Chief Metropolitan Magistrate, instead of an Executive Officer like the Assistant Commissioner of Police.

At present many persons who were last convicted ten years preceding the externment order, have been externed merely on false complaints made against them. It is reasonable that the previous conviction should be within three years of the commencement of the externment proceedings. The Bill seeks to achieve the above objects by amending the Bombay Police Act.

Bombay, dated 19th September, 1978.

RAMDAS NAYAK,  
Member-in-charge.

Nagpur, dated the 8th December 1978,

G. S. NANDE,  
Secretary,  
Maharashtra Legislative Assembly.