



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ३, अंक ३५(२)]

शुक्रवार, एप्रिल ७, २०१७/चैत्र १७, शके १९३९

[पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक ६८

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 Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property) Bill, 2017 (L. A. Bill No. XXXII of 2017), introduced in the Maharashtra Legislative Assembly on the 7th April 2017, is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,  
Principal Secretary to Government,  
Law and Judiciary Department.

**L. A. BILL No. XXXII OF 2017.**

*A BILL*

*to provide for the prevention of violence against Media Persons while carrying out their duties as Media Persons and prevention of damage or loss of property of Media Persons or Media Institutions in the State of Maharashtra, and for matters connected therewith or incidental thereto.*

WHEREAS acts of violence causing injury or danger to life of Media Persons and damage or loss to the property of Media Persons or Media Institutions are creating unrest in the State ;

AND WHEREAS it has become necessary to provide for the prevention of violence against Media Persons and prevention of damage or loss of property of Media Persons or Media Institutions from such violent activities, and for the matters connected therewith or incidental thereto; it is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :—

Short title and extent.

1. (1) This Act may be called the Maharashtra Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2017.

(2) It extends to the whole of the State of Maharashtra.

Definitions.

2. (1) In this Act, unless the context otherwise requires—

(a) “Media Institution” includes any registered Newspaper Establishment, News Channel Establishment, News-based Electronic Media Establishment or News Station Establishment ;

(b) “Media Person” means a person whose principal avocation is that of a journalist and who is employed as a journalist, either on regular or contract basis, in, or in relation to, one or more media institutions and includes an Editor, Sub-Editor, News Editor, Reporter, Correspondent, Cartoonist, News-Photographer, Television Cameraman, Leader-Writer, Feature-Writer, Copy-tester and Proof-Reader, but does not include any such person who—

(i) is employed mainly in a managerial or administrative capacity ;  
or

(ii) being employed in a supervisory capacity, performs, either by the nature of the duties attached to his office or by reason of the powers vested in him, functions mainly of a managerial nature ;

(c) “Newspaper” means any printed or online periodical work containing public news or comments on public news and includes such other class of printed or periodical work as may, from time to time, be notified in this behalf by the Central Government in the *Official Gazette*, under the Journalist and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 ;

45 of 1955.

(d) “News Channel” means a television channel which is registered as news channel with the Ministry of Information and Broadcasting, Government of India ;

(e) “Newspaper Establishments” means an establishment under the control of any person or body of persons, whether incorporated or not, for the production or publication of one or more newspapers or for conducting any news agency or syndicate.

*Explanation.*—For the purposes of this clause,—

(i) different departments, branches and centres of newspaper establishments shall be treated as parts thereof ;

(ii) a printing press shall be deemed to be a newspaper establishment if the principal business thereof is to print newspaper;

(f) “News-based Electronic Media” means any news-based electronic media that uses electronic devices for the end user to access the content ;

(g) “News Station” means a television or radio station which produces and broadcasts news;

(h) “offender” means any person, who either by himself or as a member or leader of a group of persons or organization commits or attempts to commit or abets or instigates or provokes the commission of violence under this Act ;

(i) “property” means any property, movable or immovable or equipment or machinery owned by or in possession of any Media Person or Media Institution ;

(j) “violence” means an act, which causes or may cause any harm, injury or endangering the life of any Media Person during the discharge of his duty as a Media Person, or causing damage or loss to the property belonging to any Media Person or Media Institution.

**3.** Any act of violence against a Media Person or damage or loss to the property of Media Person or Media Institution shall be prohibited. Prohibition of violence.

**4.** Any offender, who commits or attempts to commit or abets or instigates or provokes the commission of any act of violence in contravention of the provisions of section 3, shall be punished with imprisonment which may extend to three years, or with fine, which may extend to fifty thousand rupees, or with both. Penalty.

2 of 1974. **5.** Notwithstanding anything contained in the Code of Criminal Procedure, 1973, a police officer not below the rank of Deputy Superintendent of Police shall investigate any offence under this Act. Investigation of offence.

**6.** Any offence committed under this Act, shall be cognizable and non-bailable and triable by the Court of Judicial Magistrate of the First Class. Cognizance of offence.

**7.** (1) In addition to the punishment specified in section 4, the offender shall be liable to pay compensation for damage or loss caused to the property of Media Person or Media Institution, as may be determined by the Court referred to in section 6 and he shall also be liable to reimburse medical expenditure incurred by the Media Person. Liabilities to pay compensation for damage or loss caused to property.

(2) If, any person upon conviction under this Act has not paid the compensation and medical expenditure imposed under sub-section (1), the same shall be recovered as if it were arrears of land revenue.

**8.** (1) Whoever, being a Media Person willfully misuses the provisions of this Act or uses the same for malicious purposes or makes a false complaint under this Act shall be punishable with imprisonment which may extend to three years, or with fine, which may extend to fifty thousand rupees, or with both. Punishment for misuse of provisions contained in this Act.

(2) The Media Person, after conviction under sub-section (1), shall not be entitled for any Government benefit as a Media Person, and his accreditation card, if any, shall be permanently revoked.

**9.** The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force. Act not in derogation of any other law.

## STATEMENT OF OBJECTS AND REASONS.

On account of the rampant instances of violence and attacks against Media Persons and damage or loss to the property of Media Institutions, there is a strong demand to prevent such violence against Media Persons or damage or loss to the property belonging to Media Persons or Media Institutions and to check the recurrence of such incidents in the State. In order to effectively curb the occurrences of such incidents in the State and to protect and safeguard the Media Persons and property of the Media Persons or Media Institutions, the Government of Maharashtra has considered it expedient to enact a special law.

2. The Bill seeks to achieve the above objectives.

Mumbai,  
Dated the 6th April 2017.

DEVENDRA FADNAVIS,  
Chief Minister.