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PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 565-L.—24th June, 2026.—The Governor having been pleased to order, under rule 66 of the Rules of

Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Kolkata Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 14 of 2026

**THE WEST BENGAL PUBLIC SAFETY AND CONTROL OF
ANTI-SOCIAL ACTIVITIES BILL, 2026.**

**A
BILL**

to provide for the promotion of public safety and the maintenance of public peace and order, and for the effective prevention and control of anti-social activities in the state of West Bengal;

WHEREAS it is necessary to provide for the promotion of public safety and the maintenance of public peace and order, and for the effective prevention and control of anti-social activities in the state of West Bengal;

It is hereby enacted in the Seventy-seventh Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal Public Safety and Control of Anti-social Activities Act, 2026.

(2) It shall come into force at once.

*The West Bengal Public Safety and Control of
Anti-social Activities Bill, 2026.*

(Clauses 2, 3.)

Definitions.

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

- (a) “anti-social activity” means anti-social acting in any manner which causes, or is likely to cause, directly or indirectly—
- (i) alarm, danger, fear or insecurity among the general public or any section thereof;
 - (ii) grave or widespread danger to life, person or property;
 - (iii) disturbance of public order or public tranquility;
 - (iv) obstruction to the lawful exercise of any right or to any lawful business, trade, profession or occupation;
 - (v) unlawful dispossession of any person from any movable or immovable property;
 - (vi) substantial loss or damage to public or private property; or
 - (vii) any illegal activity relating to mining, quarrying, sand extraction, forest produce or wildlife which cause substantial loss to the public exchequer;
- (b) “authorised officer” means an officer authorised by the State Government, by notification, to exercise the powers conferred by this Act;
- (c) “Government” means the Government of West Bengal;
- (d) “goonda” means a person who—
- (i) either by himself or as a member or leader of a group, gang or syndicate habitually commits, attempts to commit, abets, promotes, finances or facilitates anti-social activities; or
 - (ii) has been charge-sheeted for an offence punishable under section 111 or section 112 of the Bharatiya Nyaya Sanhita, 2023; or
 - (iii) commits, attempts to commit, abets, promotes, finances or facilitates any offence punishable under—
 - (A) the Arms Act, 1959;
 - (B) the Narcotic Drugs and Psychotropic Substances Act, 1985;
 - (C) the Immoral Traffic (Prevention) Act, 1956;
 - (D) the Explosive Substances Act, 1908; or
 - (iv) is generally reputed to be desperate and dangerous to the community.

45 of 2023.

54 of 1959.

61 of 1985.

104 of 1956.

6 of 1908.

Power to make
orders for
detention to
prevent anti-social
activities.

3. (1) The State Government may, if satisfied on the basis of a report submitted by a police officer not below the rank of Superintendent of Police that, with a view to preventing any goonda from committing any anti-social activity in the state of West Bengal, it is necessary so to do, make an order directing that such person be detained:

Provided that no such order shall ordinarily be made unless such goonda has, within the preceding seven years,—

- (a) been convicted by a competent court at least once for an offence referred to in clause (d) of section 2; or
- (b) been charge-sheeted in at least three separate instances not forming part of the same transaction, in respect of offences referred to in clause (d) of section 2 on complaints initiated by persons other than police officers:

Provided further that the requirement of clause (b) shall not apply where a charge-sheet has been filed for an offence punishable under section 111 of the Bharatiya Nyaya Sanhita, 2023; and cognizance thereof has been taken by a competent court, and the State Government is satisfied, for reasons to be recorded in writing, that detention under this Act is necessary for the maintenance of public safety or public order; or

- (c) has, after the passing of an order under section 15, continued to engage in anti-social activities or violated such order in a manner indicating that the measures under section 15 are insufficient to prevent him from committing anti-social activities.

(2) If, having regard to the circumstances prevailing or likely to prevail in any area, the State Government is satisfied that it is necessary so to do, it may, by notification, direct that, during such period as may be specified therein, the District Magistrate or the Commissioner of Police, as the case may be, having jurisdiction may exercise the powers conferred by sub-section (1) in respect of—

- (a) persons residing within his jurisdiction; and
(b) persons not so residing, who are engaged, or are about to engage, or are abetting any anti-social activity within such jurisdiction.

(3) Where an order of detention is made by the District Magistrate or the Commissioner of Police under sub-section (2), he shall forthwith report the fact to the State Government through the Director General and Inspector General of Police, West Bengal, together with—

- (a) a copy of the detention order; and
(b) all records and materials having a bearing on the matter.

(4) No order made under sub-section (2) shall remain in force for more than fifteen days, excluding public holidays, from the date of detention unless, in the meantime, it has been approved by the State Government.

Execution of
detention orders.

4. A detention order made under section 3 may be executed at any place in the State of West Bengal in the same manner as a warrant of arrest may be executed under the Bharatiya Nagarik Suraksha Sanhita, 2023.

46 of 2023.

Place of
detention.

5. Every person in respect of whom a detention order has been made under this Act shall be detained in such Correctional Home within the state of West Bengal as the State Government or the detaining authority may specify:

Provided that a copy of the detention order duly signed and sealed by the detaining authority shall be furnished to the Superintendent of the Correctional Home concerned at the time of admission of such person.

Powers in relation to absconding persons.

6. (1) Where the State Government or the authorised officer has reason to believe that a person against whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, it may—

- (a) make a report in writing to the Chief Judicial Magistrate or the Judicial Magistrate of the First Class having jurisdiction over the place where such person ordinarily resides; and
- (b) by notification published in the *Official Gazette*, direct such person to appear before such officer, at such place and within such time as may be specified in the notification.

(2) Upon a report being made under clause (a) of sub-section (1), the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 relating to proclamation and attachment of absconding persons shall apply as if the detention order were a warrant issued by the Magistrate.

46 of 2023.

(3) Any person who fails, without sufficient cause, to comply with a notification issued under clause (b) of sub-section (1) shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Grounds of detention to be disclosed.

7. (1) When a person is arrested in pursuance of a detention order, the officer executing the order shall read out the order to him and furnish him with a copy thereof.

(2) The grounds of detention, specifying the instances of offences and other materials on the basis of which the person is considered to be a goonda and on which the detention has been found necessary, together with copies of relevant documents, as far as practicable, shall be furnished to the detained person as soon as may be, and in any case within five days from the date of detention.

(3) The detained person shall also be informed in writing, under acknowledgement, of his right to make a representation to the State Government and to the Advisory Board against the detention order:

Provided that nothing contained in this section shall require the disclosure of any fact—

- (a) which would reveal the identity of a confidential source; or
- (b) the disclosure of which would be against the interests of public order, public safety, internal security or national security.

(4) The Superintendent of the Correctional Home in which the person is detained shall afford him reasonable opportunity to consult a legal practitioner and reasonable assistance for making a representation to the State Government and to the Advisory Board.

(5) A detention order shall not be deemed to be invalid merely because one or more of the facts or circumstances relied upon in the grounds of detention is vague, non-existent, irrelevant or otherwise invalid, if the remaining facts and circumstances are sufficient to justify the detention and the minimum conditions for treating the person as a goonda are satisfied.

Constitution of
Advisory Board.

8. (1) The State Government shall constitute one or more Advisory Boards for the purposes of this Act and may specify their territorial or functional jurisdiction.

(2) Every Advisory Board shall consist of—

- (a) a Chairperson, who is or has been a Judge of a High Court; and
- (b) two other members who are qualified under the Constitution of India to be appointed as Judges of a High Court.

(3) The salary, allowances, tenure and other terms and conditions of service of the Chairperson and members of the Advisory Board shall be such as may be prescribed.

Reference to
Advisory Board.

9. In every case where a detention order has been made under this Act, the State Government shall, within three weeks from the date of detention, place before the Advisory Board—

- (a) the grounds on which the order has been made;
- (b) the representation, if any, made by the detained person; and
- (c) where the order has been made by the District Magistrate or the Commissioner of Police, the report submitted under sub-section (3) of section 3.

Procedure of
Advisory Board
and further action.

10. (1) The Advisory Board shall, after considering the materials placed before it and after calling for such further information as it may deem necessary, and after hearing the detained person in person if he so desires or if the Board considers it necessary, submit its report to the State Government within nine weeks from the date of detention, specifying in a separate paragraph its opinion as to whether or not there is sufficient cause for the detention.

(2) Where there is a difference of opinion among the members of the Advisory Board, the opinion of the majority shall be deemed to be the opinion of the Board.

(3) The proceedings of the Advisory Board and its report, other than the portion containing its opinion, shall be confidential.

(4) A detained person shall not ordinarily be entitled to be represented by a legal practitioner before the Advisory Board:

Provided that the Advisory Board may, in appropriate cases and for reasons to be recorded in writing, permit representation by a legal practitioner.

(5) Where the Advisory Board reports that there is sufficient cause for detention, the State Government may confirm the detention order and continue the detention for such period as it thinks fit, subject to section 12.

(6) Where the Advisory Board reports that there is no sufficient cause for detention, the State Government shall revoke the detention order and cause the person to be released forthwith.

(7) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board.

*The West Bengal Public Safety and Control of
Anti-social Activities Bill, 2026.*

(Clauses 11 – 15.)

Detention orders
not invalid on
certain grounds.

11. No detention order shall be invalid or inoperative merely by reason that—

- (a) the person to be detained, though within the state of West Bengal, is outside the territorial jurisdiction of the officer making the order; or
- (b) the place of detention, though within the state of West Bengal, is outside the territorial jurisdiction of such officer.

Maximum period
of detention.

12. The maximum period for which any person may be detained in pursuance of a detention order made under this Act and confirmed under section 10 shall not exceed twelve months from the date of detention.

Revocation and
fresh detention
orders.

13. (1) The State Government may, at any time, revoke or modify a detention order.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order against the same person if—

- (a) after release, he is found to have again engaged in anti-social activities; or
- (b) facts coming to the notice of the State Government or the authorised officer after the earlier order, considered along with previously known facts, give rise to a reasonable apprehension that he is likely to engage in anti-social activities; or
- (c) procedural defects or omissions on account of which the earlier order was revoked have been cured.

Temporary release
of detained
persons.

14. (1) The State Government may, at any time, direct that any person detained under this Act be released for a period not exceeding one week, either without conditions or subject to such conditions as may be specified.

(2) In directing the release of any person under sub-section (1), the Government may require him to enter into a bond, with or without sureties, for the due observance of the conditions specified in the direction.

(3) The State Government may, at any time, cancel a direction issued under sub-section (1).

(3) Any person released under this section shall surrender himself at the time and place specified in the order, failing which he shall be liable to be arrested and recommitted to detention.

Power to make
extremist and
related orders.

15. (1) Where the District Magistrate or the Commissioner of Police, or any police officer not below the rank of Deputy Inspector General of Police authorised by the State Government and having jurisdiction, is satisfied on the basis of information received in respect of a goonda, and after giving him a reasonable opportunity of being heard, that a goonda is engaged in, or is about to engage in, anti-social activities and that, having regard to the nature of such activities and the necessity of preventing their recurrence, it is necessary, with a view to preventing him from so acting, to make an order under this section, he may, by order in writing—

- (a) direct such person to remove himself outside such area, district or districts, or part thereof, as may be specified in the order, within such time as may be specified therein, and prohibit him from entering or returning to such area for a period not exceeding one year; and

order:

Provided that where notice cannot be served personally, it may be served by affixture at the ordinary place of residence of such person:

Provided further that a copy of every order made under this section, together with the grounds thereof, shall be forwarded forthwith to the State Government through the Director General and Inspector General of Police, West Bengal.

(2) Any person aggrieved by an order made under sub-section (1) may, within fifteen days from the date of service of the order, prefer an appeal to the State Government, which may, after giving such opportunity of hearing as it deems fit, annul, modify or confirm the order.

(3) The authority which made the order under sub-section (1) may, at any time, on its own motion, rescind, modify or relax the order, either wholly or in part.

(4) Whoever contravenes any order made under sub-section (1) shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine.

(5) Where an order made under sub-section (1) has ceased to have effect, a fresh order may be made against the same person if, after such cessation, he is again found to have engaged in anti-social activities:

Provided that where an appeal under sub-section (2) has been preferred, the authority shall not pass any order inconsistent with the order of the State Government.

Punishment for
harbouring
persons ordered to
be detained or
externed.

16. Whoever, knowing or having reason to believe that an order has been made against any person under section 3 or section 15, harbours or conceals such person shall be punishable with imprisonment for a term which may extend to two years, and shall also be liable to fine.

Power to search
and seize.

17. (1) The State Government or the authorised officer may, by general or special order, empower any police officer to—

- (a) enter and search any place;
- (b) stop and search any person, vessel, vehicle or conveyance; and
- (c) seize any article, document, money, property or thing which he has reason to believe has been, is being, or is about to be used for committing any anti-social activity.

JUNE 24, 2020 [PART IIIA]

*The West Bengal Public Safety and Control of
Anti-social Activities Bill, 2026.*

(Clauses 18 – 21.)

(2) The provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall, so far as 46 of 2023.
may be, apply to every search and seizure made under this section.

(3) Every officer making a seizure under this section shall forthwith report the particulars of such seizure to the State Government or the authorised officer and shall take such steps as may be necessary for the safe custody of the property seized.

(4) The State Government or the authorised officer may pass such order as it deems fit regarding the custody, release or disposal of any property seized under this section, subject to the orders of any competent court.

Protection of
action taken in
good faith.

18. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer or authority for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

Offences to be
cognizable and
non-bailable.

19. Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, every offence punishable under this Act and every wilful contravention of any lawful order made under this Act shall be cognizable and non-bailable.

Authentication of
orders of
Government.

20. All orders and notifications issued by the State Government under this Act shall be authenticated in such manner as may be prescribed or as provided under the Rules of Business of the Government of West Bengal.

Power to make
rules.

21. (1) The State Government may, by notification, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the salary, allowances, tenure and other terms and conditions of service of the Chairperson and members of the Advisory Board;
- (b) the procedure to be followed by the Advisory Board;
- (c) the forms of notices, orders and representations under this Act;
- (d) the conditions subject to which detained persons may be temporarily released; and
- (e) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the West Bengal Legislative Assembly.

*The West Bengal Public Safety and Control of
Anti-social Activities Bill, 2026.*

STATEMENT OF OBJECTS AND REASONS.

It has been observed that certain sections of the society are engaging in anti-social activities thereby posing a serious threat to the lives and property of the bonafide citizens of the state. The extant provisions of the prevailing Acts and rules were found to be ineffective and inadequate to combat/tackle these types of nefarious activities. With an objective to curb these activities, to severely punish the anti-social elements and to prevent their conspirational designs, it is considered necessary to bring in some provisions in the form of a new Bill.

2. The Bill has been framed with the above objects in view.

KOLKATA,
The 24th June, 2026.

SUVENDU ADHIKARI,
Member-in-charge.

FINANCIAL MEMORANDUM.

There is financial implication involved in giving effect to the provisions of this Bill. Necessary budgetary provision shall be made in consultation with the Finance Department to this effect.

KOLKATA,
The 24th June, 2026.

SUVENDU ADHIKARI,
Member-in-charge.

By order of the Governor,

SUBHRADIP MITRA,
*Pr. Secy. to the Govt. of West Bengal,
Law Department.*