



ARMED FORCE SPECIAL POWERS ACT: NATIONAL ISSUES

NEWS: Centre, State set to review scope of AFSPA in Manipur

WHAT'S IN THE NEWS ?

The Centre and Manipur government are reviewing the Armed Forces Special Powers Act (AFSPA) amid ongoing ethnic violence between the Kuki-Zo and Meitei communities. As AFSPA's six-month extension ends on September 30, differing views on its application in valley and hill districts highlight concerns over security and governance.

WHAT IS ARMED FORCES SPECIAL POWERS ACT?

- **Introduced in 1958**, AFSPA confers on members of the armed forces special powers to rein in suspects in areas declared "disturbed" on account of insurgent activities or similar threats. It has been in **force in Manipur since 1980**, and the alleged **excesses committed under it are the reasons** why activist **Irom Sharmila** has been on a **hunger strike since 2000**.

WHAT ARE SPECIAL POWERS?
AFSPA allows any commissioned officer, warrant officer and non-commissioned officer – or any other person of equivalent rank – to:

- Fire upon or use force against any person acting 'in contravention of any law for the time being in force in the disturbed area'
- Arrest suspicious people without warrant
- Destroy any structure suspected to house an arms dump, shelter from which armed attacks are made or are likely to be made
- Conduct searches without warrants for evidence, to recover a wrongfully confined person or property or arms or explosives
- **AFSPA bars prosecution or proceedings— except with Centre's nod— against personnel for action committed while exercising powers under the Act**

Armed Forces Special Powers Act (AFSPA)

- **Purpose:** AFSPA empowers armed forces to maintain public order in areas declared as "disturbed" due to internal conflicts or threats to public safety.
- **Disturbed Area:** Regions where AFSPA is enforced, usually due to ongoing armed conflict or severe threats to public order.

Key Provisions:

- Troops can arrest without a warrant.
- Enter and search premises without prior permission.
- Use lethal force when deemed necessary for maintaining law and order.
- **Legal Immunity:** Armed forces personnel are protected from legal prosecution for actions taken under the Act without prior sanction from the government.
- **Criticism:** Alleged misuse, including human rights violations, has led to widespread calls for its repeal or reform.
- **Current Status:** Implemented in parts of the northeastern states and Jammu & Kashmir, sparking debates about the balance between security needs and civil liberties.



Law or Flaw?

Enacted in 1958, the contentious Armed Forces (Special Powers) Act, gives the armed forces sweeping search and arrest powers and immunities in areas declared 'disturbed' by governments. Enforced since 1958 in:

Nagaland

Assam

Manipur (except the Imphal municipal area)

Arunachal Pradesh (the Tirap, Changlang and Longding districts plus a 20km belt bordering Assam)

Meghalaya (a 20km belt with a common border with Assam)

Jammu and Kashmir

Lifted from

Tripura in 2015, Mizoram in 1986, Punjab and Chandigarh (imposed 1983, lifted 1997)



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