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Q17

Human right activists constantly highlight the fact that the Armed forces (Special Powers) Act, 1958 (AFSPA) is a draconian act leading to cases of human right abuses by security forces. What sections of AFSPA are opposed by the activists. Critically evaluate the requirement with reference to the view held by Apex Court.

UPSC Civil Services Mains 2015 · GS III · 12 marks · Indian Economy

Indian Economy and issues relating to planning, mobilization of resources, growth, development and employment.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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AFSPA, 1958

Law granting special powers to armed forces in areas declared disturbed, first for the North-East; a related law applied to Jammu and Kashmir.

Section 4

Empowers firing even to death (with the section's conditions), destruction of hideouts, warrantless arrest, and warrantless search.

Section 6

Bars prosecution or other legal proceedings without previous Central Government sanction for acts under the Act.

NPMHR, 1997

Supreme Court judgment upholding AFSPA's constitutionality while listing limits and dos and don'ts.

Jeevan Reddy Committee, 2005

Recommended repeal of AFSPA and a less sweeping substitute; the report was not enacted as recommended.

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