

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:389
ANSWERED ON:14.08.2007
REPEALING OF ARMED FORCES SPECIAL POWERS ACT
Hussain Shri Syed Shahnawaz

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has set up an Administrative Reforms Commission to repeal the Armed Forces Special Power Act;
- (b) if so, whether the Commission has submitted its report;
- (c) if so, the details of recommendations made by the Commission;
- (d) whether the Government has considered the recommendations;
- (e) if so, the details thereof;
- (f) if not, the reasons therefor; and
- (g) the steps taken by the Government to check the violation of human rights by the Armed Forces?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI)

(a) to (f): The Second Administrative Reforms Commission in its Fifth Report on 'Public Order' has, inter alia, made recommendations regarding the Armed Forces (Special Powers) Act, 1958. These recommendations of the Commission along with the recommendations of Justice B.P. Jeevan Reddy Committee on review of the Armed Forces (Special) Powers) Act 1958 are being examined.

(g): For preventing misuse of powers under the Armed Forces (Special Powers) Act, 1958, the Army Headquarters have issued guidelines containing 'Do's & Don'ts' for the Armed Forces deployed in Counter Insurgency Operations. Violation of these guidelines by members of the Armed Forces make them liable for prosecution under the Army Act. In addition, the Chief of Army Staff has issued 'Ten Commandments' to the troops deployed in Counter Insurgency Operations to guide them while conducting the operations. The Human Rights Cell established at various levels of Army regularly monitors human rights violation, if any, by the members of the Armed Forces. The troops are sensitised at regular intervals regarding the importance of upholding Human Rights.