

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:164
ANSWERED ON:22.11.2011
MISUSE OF POWER BY CPMF`S
Owaisi Shri Asaduddin

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether a number of cases have been reported regarding misuse of power to search, seize and arrest persons by the Central Para-Military Forces (CPMF`s);
- (b) if so, the number of such cases reported and the action taken against the accused personnel during each of the last three years and the current year, force-wise;
- (c) whether the Government proposes to provide such powers to Border Security Force deployed for counter insurgency and anti-naxal operations;
- (d) if so, the details thereof and the time by which a final decision is likely to be taken; and
- (e) the steps taken or being taken by the Government to ensure that these powers are not misused by CPMF`s?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a) & (b) No cases of misuse of powers relating to search, seizure and arrest by any Central Armed Police Forces (CAPFs) have been reported to the Ministry of Home Affairs.

(c) & (d) There is a proposal to amend Sections 4 and 139 of the BSF Act, 1968 whereby an enabling provision is being made in the Act so that if need be such powers of search, seizure and arrest can be conferred on the BSF personnel deployed for counter insurgency and anti-naxal operation with the concurrence of the State Government concerned. For the purpose a Bill, namely, The Border Security Force (Amendment) Bill, 2011 has been introduced in the Rajya Sabha on 18.08.2011. The Bill was referred to the Department related Parliamentary Standing Committee on Home Affairs. The Committee, in its 154th Report, has adopted the Bill without any changes and recommended the passing of the Bill. The proposed Bill is likely to be passed during the current Winter Session of the Parliament. Such enabling provisions already exist in the Acts of SSB and ITBP.

(e) Sufficient provisions/safeguards exist in the Acts and Rules governing the Central Armed Police Forces (CAPFs) as well as the instructions issued from time to time which provide for strict action against the force personnel for any misuse of powers.