

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:4212
ANSWERED ON:20.12.2011
ARMED FORCES ACT
Aaron Rashid Shri J.M.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court has asked the Union Government to spell out its stand on the Armed Forces (Special Powers) Act and other such laws whereby divergent views have been taken on separate encounter killings involving security forces in Jammu & Kashmir and Assam;
- (b) if so, the details thereof and the reaction of the Government thereto;
- (c) whether any immunity is given to security forces from criminal prosecution in the discharge of their official duties under the Armed Forces (Special Powers) Act and other such laws; and
- (d) if so, the details thereof?

Answer

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

- (a) & (b): As informed by Ministry of Defence, the matter is sub-judice before the Hon'ble Supreme Court.
- (c) to (d): The Armed Forces (Special Powers) Act provides protection to the persons acting under the Act viz. "No prosecution/suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act."