

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

STARRED QUESTION NO:648  
ANSWERED ON:22.05.2012  
MISUSE OF AFSPA  
Hussain Shri Syed Shahnawaz

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether there are reports of misuse of the Armed Forces (Special Powers) Act (AFSPA) in those areas where it is in force;
- (b) if so, the details of such cases reported during each of the last three years and the current year, State-wise;
- (c) whether the Government has provided any assistance to the victims affected by the said misuse;
- (d) if so, the details thereof; and
- (e) the measures taken by the Government to check misuse of AFSPA?

**Answer**

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

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 648 FOR 22.5.2012

(a) & (b): Complaints of Human Rights violations are not categorized with reference to specific laws in force in different areas. The National Human Rights Commission (NHRC) registers cases in respect of HR violations in general by the police, the defence and the para military forces, in all the States and UTs. The number of the cases registered by the NHRC during the last three years upto 31.3.2012 of alleged encounters and custodial deaths by police, defence and para-military forces in different States is at Annexure I & II respectively.

(c) & (d): Details of monetary relief/compensation recommended by NHRC in all cases of human rights violations during the last three years upto 31.3.2012 are given at Annexure III.

(e) The Armed Forces personnel have been issued "Dos and Don'ts" to be followed while exercising special powers conferred under the Armed Forces (Special) Powers Act (AFSPA). These cover restrictions on shooting, timely handing over of militants to Civil Administration, dignified treatment of women and children etc.

The counter insurgency operations are carried out in close coordination with the Civil Administration and the State Police.

The Government maintains zero tolerance for human rights violations. Human Rights Cells have been established under the Army and the Central Armed Police Force (CAPF) Rules. The troops are sensitized at regular intervals regarding the importance of upholding human rights and avoiding collateral damage. Whenever reports are received of violations of human rights by the

Guidelines and recommendations to be followed by the States/UTs in all cases of deaths in the course of police action have also been issued by NHRC.