

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 3388**

TO BE ANSWERED ON THE 01ST JANUARY, 2019/ PAUSHA 11, 1940 (SAKA)

OPERATION OF AFSPA

3388. SHRI NINONG ERING:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the States and regions where the Armed Forces Special Powers Act (AFSPA) is operational;

(b) the number of cases of human rights violations by the security forces reported from the said areas during each of the last three years and the current year, crime-wise and State-wise;

(c) the number of cases disposed off, pending and the number of victims given compensation during the said period, Statewise;

(d) the details of the organisations which have requested/recommended to repeal the said Act; and

(e) the measures taken by the Government to check the human rights violations in the said regions of the country?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)**

(a): The Armed Forces (Special Powers) Act [AFSPA] is operational in the following areas:

(i) Entire States of Assam, Nagaland, Manipur(except Imphal Municipal area) and J&K (except Kargil and Leh districts);

(ii) Tirap, Changlang and Longding districts in Arunachal Pradesh and the areas falling within the jurisdiction of the eight police stations in the districts of the Arunachal Pradesh, bordering the State of Assam;

(b) & (c): Information is being collected and will be laid on the Table of the House.

(d): Representations have been received from time to time from different organizations/NGOs from Nagaland and Manipur for withdrawal and from the State Government of J&K for phased withdrawal of the AFSPA.

(e): For preventing human rights violations under the AFSPA, guidelines containing “Do’s & Don’ts” have been issued for the Armed Forces deployed in Counter Insurgency Operation area as per the direction of the Supreme Court in Naga People’s Movement of Human Rights Versus Union of India. Violation of these guidelines by members of the Armed Forces makes them liable for prosecution under the Army Act and the respective Acts of the Central Armed Police Forces. The Human Rights Cells established at various levels of Army and the Central Armed Police Forces regularly monitor alleged human rights violations, by the members of the Armed Forces. The troops are sensitized at regular intervals regarding the importance of upholding Human Rights. The institutional mechanisms are in place at different levels to deal with cases of human rights violation by the members of Armed Forces.