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Q) What is AFSPA & what does it say? Discuss about its origin and current status.

A. The AFSPA or Armed ~~forces~~ ^{forces} special powers Act grants special powers to the Indian Armed forces, state & parliament ~~armed~~ forces in "disturbed areas". The main objective of AFSPA is to "maintain law and order in a particular area".

Provisions in the AFSPA

① The Government can declare any part of the state or entire state as "disturbed area" if they believe that the area is a threat to the "country or constitution".

✓ The exact definition of disturbed area is not mentioned in the constitution. ~~It is clearly stated~~

② In Section (3) of the constitution, it is mentioned that once the state issues an official notification, the Central Government can deploy armed forces ~~to~~ to assist the civilian authorities.

③ Section (14) mentions, armed forces are given special powers to shoot any individual who violates law or is suspected to violate law. The only condition mentioned is that they need to warn the people before open fire.

④ Armed forces can enter & search houses without any warrant. They are allowed to arrest an individual ~~based~~ ^{on} suspicious without a warrant. Person taken into custody needs to be handed to the police station in 24 hrs.

⑤ Once a region is identified as disturbed, it needs to maintain the status for 3 months.

Reduce words without points.

This can be written in single sentence

Origin: The AFSPA was basically started in 1942 by then Viceroy Linlithgow during the Quit India Movement. Post-Independence, the AFSPA was first enacted in 1958 when the Nagas voted for a 'Free Sovereign Naga Nation'. The bill was passed by both the parties and signed by the President Dr Rajendra Prasad.

Initially, when the act was passed in 1958 the act could only be called upon by the state government. In 1978, after Tripura's incident, the power was extended to the center.

Current Status:

- The Act continues in places like Aizawl, Nagaland, Manipur, a few districts of Arunachal Pradesh.
- In 2017, the Supreme Court has allowed to set up an investigation team to probe encounter deaths. The concept of absolute immunity for army personnel should be revoked.
- On Dec 4, 2021 - 14 civilians and 1 soldier was killed in Nagaland's Mon District. The civilians killed were innocent.
- Section 144 has been imposed in the state to avoid public gatherings. Mobile internet & data services have also been suspended.
- Nagaland's chief Minister Neiphrue Rito has asked the Government to call off the AFSPA immediately.

Conclusion: As the AFSPA's objective may be to bring law & order to the state. The act violates the basic human rights and is a threat to the common man. Butatives need to be taken to amend the act in a way that it does more benefit rather than a feeling of threat.

- ① Focus on Development before repeal
- ② Job & Tax for Creation.
- ③ Good.