

Do you think that repealing AfSPA will strengthen the foundation of Indian Constitution. Comment.

The recent killings of civilians in Nagaland has created a furor regarding the Armed Forces special Powers Act (AfSPA). The AfSPA must be amended suitably to strengthen the foundation of constitution.

Lethal provisions

It gives extraordinary powers to the armed forces. Under section (4) of the act, the armed forces can fire at anyone with notice.

Section 65 of the act provides legal immunity to the personnel. It suspends fundamental rights and violates

Article - 14, 19, 21 in very form.

Amending AFSPA

The sexual crimes committed by the armed forces must not enjoy protection.

The Justice Verma Committee ~~did recommend~~ to do away the sanction from centre for accusing the ~~para~~ personnel.

The Jeevan Reddy commission recommended to repeal the act and incorporate its provisions in the Criminal Procedure Code.

The Supreme court removed the immunity under AFSPA and said criminal court have jurisdiction to look into the excesses

~~can through~~
they forwarded

AFSPA can be used as a tool for efficient counter insurgency that can boost morale of armed forces. However, words such as - dangerous, disturbed, land forces in the act have to be defined.