

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
RAJYA SABHA
QUESTION NO 389
ANSWERED ON 19.07.2017**

Sanction for prosecution under AFSPA

389 Shri Husain Dalwai

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

(a) whether sanction of Central Government is needed to initiate prosecution against an armed force personnel under Armed Forces Special Powers Act (AFSPA) 1958 and 1990;

(b) if so, what is the procedure followed and the timeline for deciding on such sanction;

(c) currently how many requests of sanction are pending before Government and since when, the year-wise and State-wise details thereof;

(d) how many sanction requests have been accepted so far, the details of cases in which it has been accepted; and

(e) how many requests for sanction have been denied so far and what are the reasons for denial?

ANSWER

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

(a): Yes, Sir. Under Section 6 of Armed Forces (Special Powers) Act, 1958 and 1990, no prosecution, suit or other legal proceedings 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.

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