# Extension of AFSPA in Manipur, Nagaland, and Arunachal Pradesh

***Prelims:*** *Current events of national and international importance | Internal Security*

## Why in News?

*Recently, the Ministry of Home Affairs (MHA) extended the Armed Forces (Special Powers) Act (AFSPA), 1958 in specified "disturbed areas" across Manipur, Nagaland, and Arunachal Pradesh for an additional 6 months.*

- The decision follows periodic security reviews by the Central Government, assessing persistent ethnic friction, residual insurgent movement, and border security along the Indo-Myanmar frontier.
- **Effective from -** October 1, 2026, to March 31, 2027.

## State-Wise Geographic Breakdown

- **Manipur**
  - **Scope-** Extended across the entire state **except** under the jurisdiction of **13 police stations** located across 5 valley districts (including parts of Imphal East, Imphal West, Bishnupur, Thoubal, and Kakching).
  - **Driver -** Retained across all hill districts and select valley pockets due to law-and-order complexities and lingering communal tensions stemming from the 2023 ethnic violence.
- **Nagaland**
  - **Scope -** Extended across **9 full districts** (Dimapur, Niuland, Chümoukedima, Mon, Kiphire, Noklak, Phek, Peren, and Meluri) and **21 police stations** across 5 other districts (Kohima, Mokokchung, Longleng, Wokha, and Zunheboto).
  - **Driver-** Facilitates ongoing anti-insurgency surveillance and maintains stability during political negotiations with Naga insurgent factions.
- **Arunachal Pradesh**
  - **Scope -** Extended to **3 eastern districts** (Tirap, Changlang, and Longding) and the areas under **3 police stations** (Namsai, Mahadevpur, and Chowkham) in Namsai district bordering Assam.
  - **Driver-** Designed to curb cross-border insurgent transit, extortion, and weapons trafficking along the porous Assam-Arunachal-Myanmar corridor.

## Key Statutory Provisions of AFSPA, 1958

- **Section 3 (Declaration of Disturbed Area) -** Empowers the **Governor of a State**, the **Administrator of a UT**, or the **Central Government** to declare an area "disturbed" if civil authorities are deemed insufficient to handle internal violence or insurgency.
- **Section 4 (Extraordinary Operational Powers) -** Grants commissioned officers, warrant officers, and non-commissioned officers broad field authorities in designated areas:
  - Power to open fire (including lethal force) after due warning against individuals acting in contravention of law and order or carrying arms.
  - Power to arrest suspects without a warrant based on reasonable suspicion.
  - Power to enter and search any premises without a warrant to arrest persons or recover arms/ammunition.
  - Power to destroy arms dumps, fortified positions, or structures used as hideouts.
- **Section 6 (Immunity from Prosecution)-** Mandates that no prosecution, suit, or legal proceeding shall be instituted against security personnel for actions performed under the Act except with the **prior sanction of the Central Government**.

## Judicial Landmarks

- **Naga People's Movement for Human Rights v. Union of India (1997)-**
  - The declaration of a "disturbed area" must be reviewed periodically (at least once every 6 months).
  - Security forces must follow the Army's internal **"Do's and Don'ts"** during operations.
  - Arrested persons must be handed over to the nearest civil police station with minimum possible delay.
- **EEVFAM v. Union of India (2016) -** The Supreme Court ruled that immunity ***under Section 6 is not absolute*** and does not grant blanket protection against extrajudicial killings or excessive force, ordering CBI/SIT investigations into alleged fake encounters in Manipur.

## Key Administrative Review Committees

- **Justice Jeevan Reddy Committee (2005) -** Recommended repealing AFSPA, describing it as a "symbol of oppression," and advocated incorporating its necessary provisions into the Unlawful Activities (Prevention) Act (UAPA).
- **2nd Administrative Reforms Commission (ARC)-** Concurred with the Jeevan Reddy Committee, advising repeal to bridge the psychological gap between the Northeast and mainstream administration.

**Reference**

The Hindu | AFSPA extended in some Northeast states