Public Safety Act (PSA)

***Prelims**: Indian Polity and Governance | Public Policy | Current events of national and international importance*

Why in news?

Recently, Jammu and Kashmir Police invoked the PSA against 23 individuals in Srinagar city who were characterized as "subversive and criminal elements inimical to the security and public order of the nation."

- **Public Safety Act** – It was introduced in **1978** by the then J&K Legislature.
- **Purpose** – To detain individuals considered a threat to the ***security of the state*** *or* ***public order***.
- It is a ***preventive detention law***, allowing authorities to detain individuals *without trial*.

Key aspects of Public Safety Act

- **Broder scope –** Section 8 allows detention for ***actions deemed prejudicial to public order or state security***.
- The *District Magistrate (DM) or Divisional Commissioner* is empowered to make detention decisions, based on police/intelligence reports.
- **Maximum detention period** - ***Up to 2 years*** for threats to national/state security and ***up to 1 year*** for threats to public order.
- **No formal charges needed** – Detainees can be held without FIR, without trial, and without disclosure of evidence.
- **No Bail or Legal Representation** - Detainees cannot apply for bail or appoint a lawyer, leaving them with limited legal remedies under the Act.
- **Limited judicial review** – Courts can review PSA detentions only on procedural grounds, not on the merit of allegations.

Several human rights groups, such as Amnesty International, have termed the PSA as arbitrary and prone to abuse.

Reference

The Indian Express| Jammu and Kashmir Police invoked the PSA



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