

ASSAM RIFLES GRANTED POWER TO ARREST ANYONE IN THE NORTHEAST

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Assam Rifles, deployed along the Myanmar border, has been empowered by the Centre to arrest anyone and search a place without warrant in the border districts of Assam, Arunachal Pradesh, Manipur, Nagaland and Mizoram.

According to a Home Ministry notification, “an officer of the rank corresponding to that of the lowest rank of members of the Assam Rifles” has been given these powers under the Code of Criminal Procedure.

Earlier, Assam Rifles was making arrests only in areas where the Armed Forces (Special Powers) Act was in effect. “They were finding it difficult to make seizures and arrest in Mizoram, which doesn’t have AFSPA. This is to basically correct that anomaly. As per law, they have to hand over the suspects to the local police within 24 hours,” said a government official. The MHA had lifted AFSPA from some areas of Arunachal Pradesh last year.

Assam Rifles personnel will exercise these powers and discharge their duties “under sub-section(1) of section 41, sections 47, 48, 49, 51, 53, 54, 149, 150, 151 and 152 of the CrPC within the local limits of the area comprised within the border districts of Assam, Arunachal Pradesh, Manipur, Nagaland and Mizoram,” the notification said.

Section 41 of the CrPC states that any police officer may, without an order from a magistrate and without a warrant, arrest any person. Section 47 gives powers for search of place entered by person sought to be arrested.

Section 48 says a police officer may, for the purpose of arresting without warrant any person, pursue such person into any place in India. According to Section 49, the person arrested shall not be subjected to more restraint than is necessary to prevent his escape.

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