

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1984**

**TO BE ANSWERED ON THE 15TH DECEMBER, 2021/ 24 AGRAHAYANA, 1943 (SAKA)
BSF POWERS UNDER REVISED JURISDICTION IN WEST BENGAL**

1984. SHRI JAWAHAR SIRCAR:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether revising the jurisdiction of the BSF is an overt attempt to exert the Centre's armed power over 32,400 of West Bengal's 88,752 sq km area;

(b) whether this is not a direct interference with the law and order powers of the State Government and violative of federal arrangement; and

(c) whether the Armed Forces Special Powers Act (AFSPA) is not applicable in Punjab and West Bengal, and whether the BSF can carry out search and seizure operation without a warrant?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYA NAND RAI)**

(a) & (b) No Sir. The extension in territorial jurisdiction of Border Security Force (BSF) in some States is aimed at empowering BSF to discharge its border guarding duties more effectively in the wake of use of technology like Dynamic Remotely Operated Navigation Equipment (Drones), Unmanned Aerial Vehicles (UAVs), etc. generally having long range, by anti-national forces for surveillance as well as for smuggling of arms, narcotics and fake Indian currency notes (FICN). It would also help in curbing the menace of cattle smuggling as smugglers take refuge in the interior areas outside the jurisdiction of BSF. There is no

impact on the jurisdiction of State Government. Rather it would result in better and more effective control on trans-border crimes in conjunction and co-operation with State Police.

(c) The Armed Forces Special Powers Act is not applicable in the States of Punjab and West Bengal. BSF in their territorial jurisdiction, can exercise powers under the relevant sections of CrPC and other Acts which have been delegated to it including that of search and seizure in accordance with the provisions of those sections.
