MUKESH PATEL SCHOOL OF TECHNOLOGY MANAGEMENT & ENGINEERING

MUMBAI MUN 2026

STUDY GUIDE

PARLIAMENTARY STANDING COMMITTEE

MINISTRY OF HOME AFFAIRS

सत्यमेव जयते

Agenda 1: Reviewing Centre-State Security Mechanisms and Union Intervention during Internal Disturbances

Agenda 2: Evaluating the Command Structure and Statutory Limits of the Central Armed Police Forces (CAPFs)



Mumbai MUN'26

Letter from R&D

Dear Delegates,

The Department of Research & Development, MUN Society MPSTME, ecstatically welcomes all of you to the 13th edition of Mumbai MUN! Over the years, R&D has been guided by a singular ethos and vision: to make the Mumbai MUN conference a centre of meaningful discourse and debate on matters that rapidly shape the world we inhabit.

We are primarily tasked with formulating agendas and curating study guides that provide delegates with a comprehensive foundation before the conference. Our guides are the product of months of painstaking, human-driven research and production and are written with a *first-principles,* top-down approach.

Debate over matters of socio-political importance has taken centre stage in student life of late, with varying opinions and belief systems finding themselves continuously questioned. At Mumbai MUN 2026, as reflected by our theme "An Axiom Apart," we encourage delegates to bridge seemingly opposite truths and work together to creatively craft lasting solutions and partnerships.

With the *phare* that is our theme, our curations seek to foster meaningful and thought-provoking conversations on the topics that will define the global dynamics of the ever-changing world we live in. We seek to platform the perspectives that whittle away at the bureaucracy that barricades change.

The goal of any worthwhile MUN conference is to train the citizens of tomorrow to design, ideate, and create equitable world orders. The Research & Development team earnestly hopes Mumbai MUN 2026 will be a stepping stone for delegates to achieve that very goal.

Best Wishes,
Department of Research & Development,
MUN Society MPSTME.

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Agenda 1: Reviewing Centre-State Security Mechanisms and Union Interventions during Internal Disturbances

COMMITTEE OVERVIEW

The PSC is a department-related parliamentary standing committee on Home Affairs that reviews the functioning, policies, and legislative proposals of the Ministry of Home Affairs, examining matters relating to internal security, border management, Centre-State relations, and the administration of internal security forces operating under it.

Another area where PSCs have played a vital role is in the study towards policies that have been formulated in the past, presented in modern times, and how the policies formulated in the past affect the public and the overall administrative structures, along with the functioning of departments and agencies responsible for carrying them out, the legislative functioning of Parliament and state assemblies in framing, amending, or repealing related laws, and the judicial functioning of courts in interpreting and reviewing these policies when they are challenged.

The aforementioned parliamentary committee delves into matters concerning internal security, border safeguarding and central cooperation with states on issues of mutual concern. Under the Ministry of Home Affairs, this specifically includes reviewing Bills and legislation related to policing, internal security, disaster management, and centre-state relations, along with budget reviews at both the centre and at the state level.

Apart from policy formulations from recent times, the committee also looks closely at major historical events in detail that have gone on to shape policymaking, affecting the country both at the national as well as international level, and understanding the motives behind policy formulation along with considering the consequences they had on the public and how they continue to influence the way governance and security are handled in India today. Based on the following details, the committee traces the path in understanding the roots of politics and governs the direction of policies that are to be implemented.

AGENDA OVERVIEW

The Constitution defines Article 355 as an article that states the duty of the Union to protect the subordinate states during times of internal disturbance caused by any insurgent forces or from external forces. In cases of solemnity where state governance appears to fail, Articles 352 and 356, which are used for declaring a national emergency or for the dismissal of a state government, are invoked, respectively.

In spite of multiple peacetime invocations of the aforementioned articles, a sense of distrust between the Union and the state gets forged. In such cases of rampant invocations, special review commissions and direct amendments are often acted upon to restore human liberties in extreme cases.

Areas of key focus include Emergency invocations, centre-state disputes, centre-state case studies, various implements of the Constitution, deployment of different defence forces by the centre and official stances held by major political parties.

BACKGROUND

Emergency Invocation During Wars

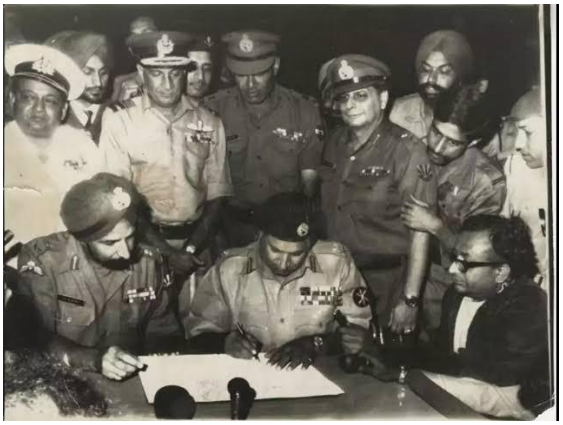
Since Independence, India has faced many wars that have, on countless occasions, risked the sovereignty or territorial safety of it. Neighbouring nations such as China and Pakistan have, on various occasions, caused wartime challenges for India; these challenges, along with the loss of national resources, also threaten the nation's internal security, leading to the use of a constitutional mechanism called Article 352. A few wartime cases of implementing this article

are the Indo-China War(1962) and the Indo-Pakistan War(1971).[1]

The war of 1962 lasted about four weeks, beginning with China's coordinated offensive on both the eastern and western fronts on 20 October 1962 and ending on a unilateral ceasefire by China on 20 November 1962. By the end of the military conflict, China had gained roughly 38,000 sq km of Indian territory in the Aksai Chin region of Ladakh. This was the same region where they had built a road during the 1950s so as to link Tibet with Xinjiang, which had sparked the original border dispute. [2]

Apart from the Aksai Chin region, China had also interfered with the international borders of Arunachal Pradesh, where they had ultimately withdrawn from following the ceasefire. Since the ceasefire was never followed by a mutually agreed border settlement, the Line of Actual Control(LAC) emerged as a result of it, which marked a pseudo border between the two countries, whilst giving Aksai Chin's control over to China.[3]

The Indo-Pakistan war started on 3 December 1971 following Pakistan's initiative of Operation Chengiz Khan. According to the BBC, during the war, the Pakistan Air Force had countless times carried out air raids on multiple airfields within India, a few of which were Agra, Srinagar, Pathankot, and Amritsar.[4]



Lt General AAK Niazi (centre) signing the surrender documents in Dhaka.
Source: Bhaskar English

The roots of the conflict lay in East Pakistan, where several Human Rights Violations had persistently been underway, followed by political turmoil within the exclave under General Yahya Khan's Military Leadership[5]. Following the given circumstances, India fought a 13-day war with Pakistan alongside the liberation front of Mukti Bahini, the Bengali resistance organisation. The conflict concluded with the surrender of Pakistani soldiers, which was the biggest surrender of troops since the Second World War, and the result that followed was the independence of East Pakistan, which came to be known as Bangladesh.[6]

Centre-State Disputes during the 1975 Emergency

On 25 June 1975, on the advice of Indira Gandhi, the then president of India, Fakhruddin Ali Ahmed declared a national emergency under Article 352. This was followed by the Allahabad High Court's ruling in the Raj Narain vs Indira Gandhi case. In the 1971 General Elections, Raj Narain, a member of the

[1] PIB. Article 352 Implements.
https://www.pib.gov.in/FactsheetDetails.aspx?id=149224&NoteId=149224&ModuleId=16&reg=48&lang=2
[2] Indo-China War 1962.
https://www.nbr.org/publication/fiftieth-anniversary-of-the-1962-sino-indian-border-war/
[3] Expressexplained. (2026, January 7). *LAC*. The Indian Express. https://indianexpress.com/article/explained/china-lac-arunachal-pradesh-claims-history-border-expert-10458694/
[4] 1971: Pakistan intensifies air raids on India.
http://news.bbc.co.uk/onthisday/hi/dates/stories/december/3/newsid_2519000/2519133.stm
[5] *Vijay Diwas Celebration at National War Memorial Southern Command pune*. PIB. (2020, December 16).
https://www.pib.gov.in/PressReleasePage.aspx?PRID=1681094&reg=48&lang=2
[6] PIB.Ministry of Defence (n.d.)..*Swarnim Vijay Gatha*.
https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=1781905&reg=48&lang=2

Samyukta Socialist Party, had lost the election to the INC's Indira Gandhi in Rae Bareli. Following his defeat, he filed a case in the Allahabad High Court and alleged that Indira Gandhi had used unfair methods to win the election, which ultimately led to the 12 June Ruling, which stated that Indira Gandhi had misused government machinery in the 1971 general election. She was found guilty under the Representation of the People Act, 1951 and was barred from contesting elections or holding a position in office for six years.[7] This was the first time Article 352 was declared during peacetime.

Following the declaration of emergency, many cases emerged where the Centre infiltrated into state affairs. One such case was seen in Tamil Nadu. The then DMK government in Tamil Nadu had faced serious corruption allegations since 1972, after which the opposition AIADMK repeatedly urged the Centre on the matter. On 31 January 1976, the Governor of Tamil Nadu finally sent reports to the Centre stating that the state government could no longer function in accordance with the provisions of the Constitution, citing concerns over the breakdown of constitutional machinery in the state. The report also referenced the corruption allegations that had been raised against the Karunanidhi-led DMK government since 1972, which had already been the subject of public agitation and political pressure calling for central intervention. On the basis of these reports, the centre invoked Article 356, which resulted in the dissolution of the DMK government regardless of the time left in its term. Following the dismissal, many DMK Leaders were arrested under MISA(Maintenance of Internal Security Act). Soon after, in 1977, ADMK formed an alliance with Congress in the state elections to form the government.[8]

The emergency lasted for 21 months, with its implications being the victory of the Janata Party in the subsequent general elections of 1977. However, soon after assuming power, they began their own use of Article 356 and the dissolution of several state opposition governments. The estimate is believed to be the dissolution of nine Congress-controlled states via the implementation of central powers.[9]Few notable examples are the dissolution of state governments in Madhya Pradesh, Rajasthan, Haryana, Himachal Pradesh, Odisha, Punjab and Uttar Pradesh.[10]

Linguistic Scaling of States

Apart from political tensions, linguistic diversity posed a major challenge for newly independent India. After Independence, internal borders remained as the British left them, ignoring local majority languages. Even before Independence, demands for the creation of internal borders based on the language spoken by people were raised multiple times by the Congress Party. In 1952, one of the first struggles demanding the creation of a state on the basis of a language spoken by a big group or community was brought to light. Telugu speakers in the majority Tamil-speaking Madras Presidency wanted a state of their own. Following various back-and-forth exchanges, Potti Sriramulu, a Gandhian Freedom fighter, began a fast unto death demanding a separate Andhra State. After Being Ignored for weeks, Sriramulu died of Hunger after 58 days of strike. Following his death, the protests intensified, and within days Nehru announced the creation of an Andhra state.[11]

[7] The Emergency in India. https://www.pib.gov.in/FactsheetDetails.aspx?Id=149224&reg=3&lang=1
[8] *Tamil Nadu's first dissolution*. https://thesouthfirst.com/tamilnadu/50-years-on-remembering-dismissal-of-karunanidhi-led-dmk-government-in-tamil-nadu/
[9] Post Emergency 1977. (n.d.-d). https://www.indiaonthisday.com/blog/post-emergency-1977-a-timeline-of-indias-democratic-restoration/
[10] *Dissolution of state government*. India Today. (2016, February 17). https://www.indiatoday.in/education-today/gk-current-affairs/story/use-of-presidents-rule-309141-2016-02-17
[11] Roy, P. D. (2024, November 27). *Nehru couldn't ignore Potti sriramulu who gave India Andhra Pradesh by fasting till death*. ThePrint. https://theprint.in/theprint-profile/nehru-couldnt-ignore-potti-sriramulu-who-gave-india-andhra-pradesh-by-fasting-till-death/875442

Following similar cases, multiple communities rose demanding their own creation of states based on respective linguistic identities. To deal with it, the government organised the State Reorganisation Commission, commonly called the Fazl Ali Commission, on 22 December 1953. After multiple reports and public consultations, the commission finally ruled that linguistics are not the only basis for drawing borders for state creation, but factors, such as administrative factors, must also be taken into account. The parliament accepted most of the suggestions made by the commission and finally passed the State Reorganisation Act of 1956.[12]

Bommai vs Union

SR Bommai was a leader in the Janata Party who became the Chief Minister of Karnataka in 1988. After the elections, it was seen that a few legislators had defected from his party, and the then governor of Karnataka, P. Venkatasubbaiah, reported to the President that Bommai's Government had lost its majority. Following this report, the central government invoked Article 356 and dismissed Bommai's tenure without giving him a chance to prove his majority on the floor of the assembly. Bommai challenged this in court, where the proceedings were heard by a nine-judge bench of the Supreme Court. The judgment of the case was given in March 1994.
Several important rules emerged from the hearings. For instance, the invocation of President's Rule is never immune to judicial review; when the strength of a government is questioned, the following should always be proved on the grounds of floor strength by means of individual voting, and not just by the governor's discretion.[13]

Security Architecture

The Seventh Schedule of the Constitution clearly defines the administrative boundaries of the State government, the Union and also the matters of mutual cooperation. The powers are segregated on the basis of lists such as the Union List, which deals with matters of defence and foreign affairs; the State List, which deals with public and police administration to maintain law and order; and the third one being the Concurrent List, which requires cooperation from both the Union and the State. Matters concerning Criminal Law, education, and forests come under the Concurrent List.[14]

Article 355 lays the basis of the security architecture, which makes it the duty of the Union to protect internal borders against any external or internal threat. Article 352 is the law that is invoked to implement a national emergency in the country, with the Maintenance of Internal Security Act (MISA) used for its consolidation.

MISA 1971 replaced the earlier Preventive Detention Act 1950. The Act gives the Union the authority to unilaterally, without any trials whatsoever, detain individuals in the interest of national security and public order. The Act was framed as a national security measure, where its long title describes it as "An Act to provide for detention in certain cases for the purpose of maintenance of internal security and matters connected therewith". Under Section 3, the government could detain anyone acting in a manner prejudicial to the defence of India, state security, public order, or essential supplies and services.[15] Atal Bihari Vajpayee, a prominent opposition leader at the time, stated it as "the beginning of a police state and a blot on democracy" and that it represented "the first step towards dictatorship".[16] Politicians who were

[12] The States Reorganisation Act, 1956. (n.d.-f). https://indiankanoon.org/doc/1211891/
[13] S.R. Bommai vs Union of India on 11 March, 1994. (n.d.-e). https://indiankanoon.org/doc/60799/
[14] Seventh schedule (Article 246) list I—The three lists. MEA. (n.d.-e). h, detention was permittedttps://www.mea.gov.in/images/pdf1/S7.pdf
[15] Parliament of India. (1971). *The Maintenance of Internal Security Act, 1971* (Act No. 26 of 1971). https://indiankanoon.org/doc/16892334/
[16] Indianemployees.com. (n.d.). *Maintenance of Internal Security Act, 1971 [MISA - act]*. Indian Employees. hto impartttps://www.indianemployees.com/acts-rules/details/maintenance-of-internal-security-act-1971-misa-ac

detained via its implementation during the 1975 emergency challenged it in the Supreme Court, which is today known as the ADM Jabalpur vs Shivkant Shukla case, where a 4-1 majority held that even the courts could not challenge the detention during the duration of the Emergency.[17]

Following the emergency in 1978, the 44th Amendment to the Constitution was added, which went on to restore fundamental human rights such as the right to liberty even under emergency situations.[18]

CONSTITUTIONAL IMPLEMENTS

Article 355

According to Article 355 of the Constitution, "it shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of this Constitution".[19] The article consists of two parts: one of them involves the duty of protection of the States, while the other one is the duty of supervision of the Constitution. Sole mention of the term 'internal disturbance' within the Constitution occurs exclusively in Article 355. Therefore, this article is the basis for the Union to enter into a State without dispossessing its government. Dr B. R. Ambedkar presented Draft Article 277A in the Constituent Assembly on 3 August, 1949.[20] It stated that "It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution".

All amendments proposed with respect to replacing 'internal disturbances' with the more restrictive 'internal insurrection or chaos' and substituting 'and' with 'or' with respect to the two clauses were ruled out on the very same day, 4 August, 1949. Indeed, judicial interpretation has broadened the ambit of this duty. In Naga People's Movement of Human Rights v. Union of India, the Supreme Court ruled that the duty under Article 355 permits Parliament to enact a law for deploying armed forces in aid of the civil power and thus upheld the Armed Forces (Special Powers) Act, 1958[21].

Article 356

Article 356 empowers the President, on receipt of a report from the Governor of a State or otherwise, and upon being satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution, to issue a Proclamation assuming the functions of the State Government and declaring that the powers of the State Legislature shall be exercisable by or under the authority of Parliament.[22] Each proclamation has to be laid before both Houses, and it shall lapse after two months, unless approved; after approval, it remains in force for six months at a time but not exceeding three years in all. The Constitution (Forty-fourth Amendment) Act, 1978 introduced the crucial limitation that continuation would require an existing Emergency under Article

[17] Record Of Law. *Addtional District Magistrate, Jabalpur v Shivkant Shukla*. https://recordoflaw.in/additional-district-magistrate-jabalpur-v-shivkant-shukla/
[18] The Constitution (Forty-Fourth Amendment). https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2023/03/2023030242-2.pdf
[19]Ministry of Law and Justice, Government of India. (2024). *The Constitution of India* [As on 1 May 2024]. Legislative Department. .https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/,2024/07/20240716890312078.pdf
[20] Constituent Assembly of India. (1949, August 3–4). *Constituent Assembly Debates, Volume IX: Draft Article 277A* .https://www.constitutionfindia.net/articles/article-355-duty-of-the-union-to-protect-states-against-external-aggression-and-intern-disturbance/
[21] *Naga People's Movement of Human Rights v. Union of India*, (1998) 2 SCC 109 (Supreme Court of India, November 27, 1997) https://indiankanoon.org/doc/1072165/
[22]Centre for Law and Policy Research. (n.d.). *Article 356: Provisions in case of failure of constitutional machinery in State*. Constitution of India. . https://www.constitutionofindia.net/articles/article-356-provisions-in-case-of-failure-of-constitutional-machinery-in-states/

352 and a certificate from the Election Commission that elections to the state assembly cannot be held.[23]

Article 352

Article 352 enables the President, if satisfied that a grave emergency exists whereby the security of India or of any part of its territory is threatened by war, external aggression or armed rebellion, to proclaim an Emergency; the explanation permits this even before such a situation actually occurs, where there is imminent danger of it.[24] Under this article, the Union can give directives to the States as far as the exercise of executive power is concerned, Parliament can enact laws regarding matters that belong to the State List, and the duration of the Lok Sabha and State Legislative Assemblies can be extended by one year at a time.

This clause, as it stands today, is largely the result of the post-Emergency amendment. Prior to 1978, 'internal disturbance' was one of three grounds on which a National Emergency could be declared, and it was on this ground that the Proclamation of 25 June 1975 was issued. In direct response, the Constitution (Forty-Fourth Amendment) Act, 1978 replaced 'internal disturbance' with the narrower 'armed rebellion,' while also introducing safeguards to prevent a repeat of 1975. A Proclamation now requires the written recommendation of the Union Cabinet rather than the Prime Minister alone, must be approved by each House within a month by a special majority, and can only continue thereafter in six-month periods, subject to revocation by the Lok Sabha through a simple majority.[25] Since these changes came into effect, Article 352 has been invoked only twice, in 1962 and 1971, with no invocation since the 1975 Emergency was revoked in March 1977. Notably, the new ground of 'armed rebellion' introduced in 1978 has never once been used, an asymmetry that continues to shape much of PSC's work.

While 'internal disturbance' was excluded from Article 352, it remained undefined and unchanged in Article 355, thus becoming an internal exigency other than that of armed rebellion, which does not fit within the purview of the Emergency provisions.


The Tribune

PRESIDENT DECLARES EMERGENCY

"Threat To Security From Internal Disorder"

676 Arrested All Over Country

Strengthen PM's Hands: Parmar

Step Taken To Preserve Unity, Says Zail Singh

PACT SIGNED FOR SALE OF IRON ORE TO IRAN

CMs Welcome Emergency Measure

Firm Action Taken To Save Nation's Integrity: P.M.

India Is Candidate For Security Council Seat

Newspaper Clippings of Emergency invocation
Source: GS Score

ROOT CAUSES

Vacancies in State Police Forces

The data gathered by the Bureau of Police Research & Development indicated an authorised strength of 20.9 lakh as of 1 January 2022, which is a deficit of 5.95 lakh personnel, and it has consistently been more than 20 per cent for more than a decade now. The gap between authorised and actual strength is highly skewed, with a 39 per cent deficit in West Bengal, 34 per cent deficit in Bihar and 33 per cent deficit in Mizoram.[26] The Ministry of Home Affairs also puts the all-India police-population ratio at 154.84 lakh as of 1 January 2023, which is well below the figure of 222 per lakh commonly cited as the international

[23] Parliament of India. (1979, April 30). *The Constitution (Forty-fourth Amendment) Act, 1978*. https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2023/03/2023030242-2.pdf
[24] Centre for Law and Policy Research. (n.d.). *Article 352: Proclamation of Emergency*. Constitution of India https://www.constitutionofindia.net/articles/article-352-proclamation-of-emergency/
[25] Parliament of India. (1979, April 30). *The Constitution (Forty-fourth Amendment) Act, 1978*. https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2023/03/2023030242-2.pdf
[26] Dataful. (n.d.). *Data: For more than 10 years, vacancies in police forces across the country at over 20%*. Factly. https://factly.in/data-for-more-than-10-years-vacancies-in-police-forces-across-the-country-at-over-20/

benchmark.[27] The result of such an insufficiency in capacity is structural as opposed to merely being administrative. If a state lacks the power to deal with the disturbance by means of its own force, then it is compelled to seek the help of the central armed police forces, and that very instant, an ordinary law-and-order issue turns into a Centre-State issue.[28]

Union-Opposition Distrust

The question of Union-Opposition distrust was first observed much before the Emergency declaration of 1975, when multiple state governments were dismissed. The First case where Article 356 was used to dismiss a state government was observed in the dismissal of Kerala's Communist government in 1959, despite it holding a majority in the assembly. The case is popularly known as the Kerala Precedent today. Apart from the government's direct dismissal of state assemblies, states on multiple occasions have shown their dissatisfaction with the cooperation between them and the Union in terms of finance sharing, as well as how, on multiple occasions, the Centre uses its powers to send in CAPF and other central police forces, which has in many cases led to friction in the functioning of the police as well as the state itself.

Examples of such cases are the sending of armed forces to West Bengal(2026) and the Punjab Border Range increment (2021).[2930] Central Investigation and Enforcement Agencies such as the Central Bureau of Investigation(CBI) and the Enforcement Directorate(ED) have also, from time to time, been mobilised against opposition leaders in the past. Many leaders claim the use of such agencies is undemocratic and unfair. The issue became such a highlight that 14 opposition parties in 2023 filed a petition of plea to the Supreme Court to address the alarming rise of arrests made by these agencies.[31]

Ambiguity Surrounding the Triggering of Article 355

Article 355 does not have any process laid out for its use. Both Articles 352 and 356 have the formal requirement of the Proclamation, and both have their limitations in terms of laying down requirements, parliamentary sanction and time limits. Article 355 lacks the necessary guidelines for its actual invocation. The most significant element that it lacks is a concise definition of what 'internal disturbance' means. This implies that there is no identifiable point in time when the Union invokes the provision of the article.[32] The actual impact was seen in May 2023, when it was reported through the media that the Centre had used Article 355 in Manipur and had sent more central forces there, while the State Assembly and people did not have any official information regarding what was actually used and in what areas.

This ambiguity extends even to what the Union is protecting a State from. In Sarbananda Sonowal vs. Union of India (2005), the Supreme Court struck down the Illegal Migrants (Determination by Tribunals) Act, 1983, holding that large-scale, unchecked migration into Assam amounted to "external aggression" under Article 355, placing the Union under a positive duty to act.[33]

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[27] Ministry of Home Affairs, Government of India. (2025, February 4). *Lok Sabha Unstarred Question No. 246: Police-Population Ratio*. https://www.mha.gov.in/MHA1/Par2017/pdfs/par2025-pdfs/LS04022025/246.pdf

[28] *CAPF Internal Security Challenges*. PRS Legislative Research. (2026, September 25). https://prsindia.org/policy/report-summaries/central-armed-police-forces-and-internal-security-challenges-evaluation-and-response-mechanism

[29] Sidhu, K. B. S. *CAPF For 60 Days In West Bengal*. ThePrint. https://theprint.in/opinion/capf-bengal-60-days-constitutional-questions/2918044/

[30] Sharma, A. (2024, March 12). *Punjab vs Centre*. Frontline. https://frontline.thehindu.com/politics/punjab-vs-centre-can-centre-override-state-powers-in-border-security/article67878484.ece

[31] *14 parties move Supreme Court alleging "arbitrary" use of CBI, Ed against opposition leaders*. https://theprint.in/india/14-parties-move-supreme-court-alleging-arbitrary-use-of-cbi-ed-against-opposition-leaders/1468720/

[32] *Article 355*. Constitution of India. https://www.constitutionofindia.net/articles/article-355-duty-of-the-union-to-protect-states-against-external-aggression-and-internal-disturbance/

[33] Manupatra. (n.d.). *Manupatra*. Articles. https://articles.manupatra.com/article-details/Sarbananda-Sonowal-V-Union-of-India-AIR-2005-SC-2920

Treatment of Social Diversity as a Threat

In India, the centre has remained cognisant of the threats that discrimination on the basis of regional, linguistic, and even religious identity can give rise to. In 1961, Jawaharlal Nehru convened the National Integration Conference whose objective was to find ways to deal with communalism, casteism, regionalism, linguism and narrow-mindedness.[34] This led to the creation of the National Integration Council (NIC), which even today reviews such issues. One such example is the 'Khalistan' protest, whose demand is for the creation of an Independent nation carved out from the northwestern part of India, free from its administration, that is, maintaining sovereignty as a separate nation.[35]



National Integration Council Meet, September 1961.
Source: Times Content

CHALLENGES

Controversy Surrounding AFSPA Implementation

The Armed Forces (Special Powers) Act (AFSPA), 1958, gives security forces high authority in areas declared 'disturbed'. They also possess the ability to detain and arrest individuals in question without any prior notice or warrant. Those affected by it have argued against the act and deemed it a rampant, unauthoritative act with little to no accountability whatsoever. The most prominent example of opposition was from activist Irom Sharmila, who began a hunger strike in November 2000 after the Malom massacre, in which security forces personnel killed ten civilians waiting at a bus stop in Manipur, and continued her fast for sixteen years demanding the Act's removal.[36] Controversies are not just limited to activists; the Act was questioned on the floor of the Supreme Court as well in 2016, where a petition filed by a victim families association based in Manipur ruled that the presence of AFSPA does not grant security forces blanket immunity, and that allegations of excessive force by the armed forces could still be put on trial in front of the criminal law.[37]

Lack of a Constitutional Definition for 'Internal Disturbances'

Article 355 includes the term 'disturbance', based on which the Union intervenes in defence of the states' territorial security. However, this term "disturbance" was never defined anywhere in the Constitution, which fills the entire article with vagueness and ambiguity. What this vagueness and ambiguity can lead to is the arbitrary intervention of the Union into the matters of the states. The concern was raised even in the Constitution's Drafting Committee debates, where one of the members stated to replace the term with a narrower phrase like 'internal insurrection and chaos'.[38] In 1978, the 44th Amendment brought about the change by replacing the term 'internal

[34] Background note on National Integration Council. (n.d.-b). https://www.mha.gov.in/sites/default/files/2022-10/NATIONALINTEGRATIONCOUNCIL_26082022_1[1].pdf
[35] *Khalistan movement: Recent activities and Indian response - MP*. IDSA. https://idsa.in/publisher/issuebrief/khalistan-movement-recent-activities-and-indian-response
[36] *India: End of Irom Sharmila's hunger strike an opportunity to repeal Afspa*. Amnesty International. (2022, August 8). https://www.amnesty.org/en/latest/press-release/2016/08/india-end-of-irom-sharmila-hunger-strike-an-opportunity-to-repeal-afspa/
[37] Tapadar, P. (2023, September 28). *Activist Irom Sharmila calls AFSPA "oppressive law", says no solution to Manipur Crisis*. ThePrint. https://theprint.in/india/afspa-is-no-solution-to-manipur-crisis-irom-sharmila/1781689/
[38] *Article 355: Duty of the union to protect states against external aggression and internal disturbance*. Constitution of India. https://www.constitutionofindia.net/articles/article-355-duty-of-the-union-to-protect-states-against-external-aggression-and-internal-disturbance/

disturbance' with 'armed rebellion' in Article 352; however, the term was yet again left untouched in Article 355.[39]

Frictional Intelligence Sharing between Centre and States

To gather intelligence that is used by Internal Bureaus like the IB (Intelligence Bureau) through MAC (Multi-Agency Centre), operations take place at ground level with the help of state administrative forces like the state police. However, most of these operations are performed on an informal or indirect basis because no such law has been passed in the Parliament, which makes it accessible for both the IB and State Police to collaborate formally.[40] One such example of lack of mutual understanding and cooperation is the 2008 Mumbai attacks, which, according to PBS, proved to be an intelligence failure and, more so, a lack of cooperation.[41]

CASE STUDIES

Farmer's Protests (2020-21)

The protests against the three farm bills of September 2020, the Farmers' Produce Trade and Commerce Ordinance (allowing inter- and intra-state trade beyond APMC mandis), the Farmers' Agreement Ordinance (enabling contract farming between farmers and buyers), and the Essential Commodities Ordinance (letting the Centre regulate supply of select food items only in extraordinary circumstances like war or famine), led to an internal disturbance where no provision of Part XVIII was invoked during that one-year period. The entire response remained within the realm of normal powers, and it also highlighted the difference in law enforcement of a single internal disturbance from another based on which government is in charge of that territory.

While Delhi Police has always remained under the Ministry of Home Affairs, which is controlled by the Central Government and not by the Delhi Government, the Centre had direct operational control on the Delhi side of the protest sites. On the other hand, while Haryana had sealed its border and also resorted to the use of water cannons against farmers, Punjab facilitated their entry. This conflict had also played out within the legislatures. Resolutions or legislation against these federal enactments were passed by the legislatures of Punjab, Rajasthan, Chhattisgarh, and West Bengal, disputing the jurisdiction.

After the violence in the tractor march on 26 January 2021, internet services in the areas of Singhu, Tikri, and Ghazipur were ordered to be suspended by the Ministry of Home Affairs.[42] Furthermore, the National Investigation Agency(NIA) issued notices to individuals associated with the movement under an existing case against the group Sikhs for Justice, drawing a counter terrorism agency into what was formally a public order dispute.[43]

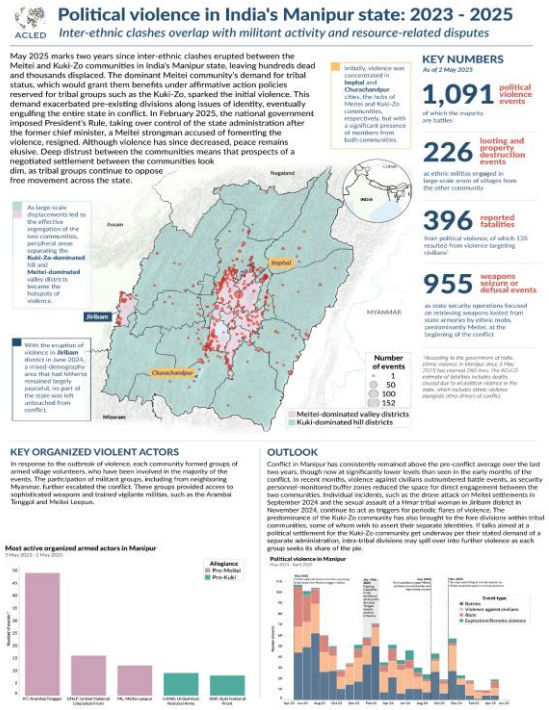
Conflict in Manipur (2023-)

Violence erupted between the Meitei and Kuki-Zo communities on 3 May 2023 in reaction to a tribal solidarity rally against the call for the recognition of Scheduled Tribe status to the Meitei community. In just a few days, the number of evacuees reached nearly 20,000, the Army and central forces were deployed, and it was widely reported that the Centre

[39] The emergency in India.PIB (n.d.-c). https://www.pib.gov.in/FactsheetDetails.aspx?Id=149224&reg=48&lang=2
[40] Joshi, M. . *India's intelligence agencies: In need of reform and oversight*. orfonline.org. https://www.orfonline.org/research/india-s-intelligence-agencies-in-need-of-reform-and-oversight
[41] Public Broadcasting Service. (2018, October 18). *In 2008 Mumbai attacks, piles of spy data, but an uncompleted puzzle*. PBS. https://www.pbs.org/wgbh/frontline/article/david-coleman-headley-the-perfe-2/
[42] Press Trust of India. (2021, January 26). *Govt orders internet shutdown till midnight in parts of Delhi-NCR amid protests by farmers*. ThePrint. https://theprint.in/india/govt-orders-internet-shutdown-till-midnight-in-parts-of-delhi-ncr-amid-protests-by-farmers/592508/.
[43] Menon, A. (2021, January 16). *Farmers' Protest: Centre using NIA to target stir, allege unions*. The Quint. https://www.thequint.com/news/politics/nia-notices-on-farmers-protest-against-three-controversial-farm-laws

invoked Article 355 and that operational control of security passed to a Unified Command placed under a Security Adviser rather than the Chief Minister.[44] Sixteen months later, in September 2024, the Chief Minister was still publicly asking the Governor for leadership of the Unified Command.[45]

While the State government continued in power, the conduct of security operations passed out of the hands of the elected government, with no notification recording the change at any stage. Friction between State and Central forces became public. Internet services remained disabled for more than 5,000 hours, making it the most prolonged shutdown recorded in any part of the world in the year 2023.[46] Almost two years later, on 13 February 2025, President's Rule was imposed through Article 356 due to the resignation of the Chief Minister, and was revoked on 4 February 2026 when a popular government took office.[47]



Infographic detailing political violence between the Meitei and Kuki-Zo communities
Source: ACLED

NEET Paper Leak Student Protests (2026)

The NEET-UG test that took place on 3 May 2026 for around 2.2 million candidates was marred by a 'guess paper' which was shared through WhatsApp 42 hours before the test and cost anywhere between Rs.20,000 and Rs.5 lakh.[48] It was discovered by the Rajasthan Special Operations Group that around 120 questions out of the guess paper had come from the Biology and Chemistry papers, and their circulation originated from the Sikar district. The test was cancelled, the investigation was handed over to the CBI, and a re-

[44] Karmakar, S. (2023, May 5). *Centre invokes Article 355 in violence-hit Manipur, 20,000 people evacuated*. Deccan Herald. https://www.deccanherald.com/india/centre-invokes-article-355-in-violence-hit-manipur-20000-people-evacuated-1216054.html

[45] Deccan Herald. (2024, September 8). *Manipur CM Biren Singh meets Governor again, asks for Unified Command leadership*. https://www.deccanherald.com/india/manipur/manipur-cm-biren-singh-meets-governor-again-asks-for-unified-command-leadership-3181541

[46] Scroll.in. (2024, January 11). *World's longest internet shutdown of 2023 was in Manipur, says report* https://scroll.in/latest/1061967/longest-internet-shutdown-of-2023-was-in-manipur-says-report

[47] All India Radio News. (2026, February 4). *President's Rule revoked in Manipur*. News on AIR. BJP MLA- Yumnam Khemchand Singh sworn in as Chief Minister of Manipur

[48] Saha, A. (2026, May 11). *NEET 2026 paper leaked? Rajasthan SOG probe finds 'guess paper' matching over 100 questions, NTA responds*. Medical Dialogues |

test was to take place on 21 June.[49] The protests started on 6 June and lasted till 25 July.

This response strategy included a combination of normal police methods, which have the power available under ordinary law and restrictions on communication. Mobile internet connectivity was disabled in the vicinity of Jantar Mantar for most of the final week of the protest and was restored only after the minister's resignation, while eighteen metro stations in that area were also shut down. Baton charges and tear gas were deployed by the police in an effort to stop the protesting students from reaching the Parliament building, injuring some students in the process, while pellet guns were also alleged to have been used. The Union Education Minister resigned on 25 July, after which the protestors agreed to end the demonstration. [50]

PARTY STANCES

Bharatiya Janata Party (BJP)

The BJP, with regard to CAPF matters, has consistently favoured strengthening central control and expanding operational reach, framed as necessary for uniform internal security and effective border management. In relation to the issue of Border Security Force (BSF) jurisdiction, the Union Government contended in the Supreme Court that the October 2021 notification was valid under Section 139 of the BSF Act, 1968; that it related to the Union List subjects dealing with national defence and the use of armed forces; and that a uniform limit of fifty kilometres across the States is essential for checking cross-border crime.[51] Satyanand Rai, Union Minister of State for Home Affairs, responding to West Bengal and Punjab's objections, which the Centre called "ill-founded".

Indian National Congress (INC)

The Congress government in Karnataka withdrew general consent to the Central Bureau of Investigation (CBI) in September 2024, its Law Minister citing misuse of the agency as the reason; central investigations in the State thereafter required case-by-case permission.[52] Earlier, when the Congress was in power in Punjab, it opposed the October 2021 notification which expanded the jurisdiction of the Border Security Force (BSF) from fifteen to fifty kilometres, describing it as an attack on federalism.[53]

Charanjit Singh Channi, then Chief Minister of Punjab, stated, "I strongly condemn the GoI's unilateral decision to give additional powers to BSF within the 50 KM belt running along the international borders, which is a direct attack on federalism". Congress MP Manish Tewari, in the same report, said the notification "transgresses upon Constitutional Public order & Policing remit of States."[54]

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[49] Outlook News Desk. (2026, May 15). *NEET-UG 2026 exam cancelled, re-exam scheduled for June 21 by NTA*. Outlook India. https://www.outlookindia.com/national/neet-ug-2026-exam-cancelled-re-exam-scheduled-for-june-21-by-nta

[50] Al Jazeera. (2026, July 25). *India's 'Cockroach' youth call off protests after education minister quits*. https://www.aljazeera.com/news/2026/7/25/indias-education-minister-resigns-after-weeks-of-cockroach-protests

[51] Jain, A. (2024, January 23). *SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter*. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/

[52] Sujay, B.M.(2024, September 26). Karnataka withdraws general consent to CBI to investigate cases in state amid MUDA row https://www.deccanherald.com/india/karnataka/karnataka-withdraws-general-consent-to-cbi-to-investigate-cases-in-state-amid-muda-row-3208049

[53] Deccan Herald. (2021,November 3.*'Attack on federalism': Punjab CM Channi wants Centre to roll back BSF jurisdiction order*. https://www.deccanherald.com/india/attack-on-federalism-punjab-cm-channi-wants-centre-to-roll-back-bsf-jurisdiction-order-1040493.html

[54] Bhardwaj, A. (2021, October 14). Move to increase BSF jurisdiction is to 'curb crime', Opposition cries 'attack on federalism'. ThePrint. https://theprint.in/defence/move-to-increase-bsf-jurisdiction-is-to-curb-crime-opposition-cries-attack-on-federalism/750530/

Telugu Desam Party (TDP)

The TDP governs Andhra Pradesh and is a constituent of the National Democratic Alliance (NDA) at the centre. In October 2021, when the party was in opposition in the State, TDP president N. Chandrababu Naidu sought the imposition of the central rule in Andhra Pradesh following attacks on party offices.[55]N. Chandrababu Naidu urged the Union government to invoke Article 356, describing Andhra Pradesh as "a fit case for imposition of President's rule." [56]

AITC (All India Trinamool Congress)

The AITC governed West Bengal from 2011 until the assembly election of May 2026. In 2018, the State withdrew general consent to the Central Bureau of Investigation (CBI) under the Delhi Special Police Establishment Act (DSPE), 1946.[57] The West Bengal assembly adopted a resolution against the BSF jurisdiction order of October 2021.[58] Minister Partha Chatterjee said, "We demand that this decision be withdrawn immediately as enhancing the area of jurisdiction of the BSF is a direct attack on the country's federal structure." [59]

Partha Chatterjee, Parliamentary Affairs Minister, moved the assembly resolution "We demand that this decision be withdrawn immediately as enhancing the area of jurisdiction of the BSF is a direct attack on the country's federal structure."[60]

The Congress Nyay Patra 2024 commits to ensure that "the police, investigation and intelligence agencies will function strictly in accordance with law" and to bring them "under the oversight of Parliament or the state legislatures." [61]

Shiv Sena (Uddhav Balasaheb Thackeray) (SS-UBT)

The SS-UBT led the Maha Vikas Aghadi (MVA) government in Maharashtra between 2019 and 2022. That government withdrew general consent to the CBI in October 2020.[62] In Subhash Desai v. Principal Secretary, Governor of Maharashtra, decided on 11 May 2023, a five-judge Constitution Bench of the Supreme Court held that the Governor was not justified in calling for a floor test, having had no objective material to doubt the confidence of the government, but declined to restore the government on the ground that the Chief Minister had resigned without facing the test.[63] The day after the Subhash

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[55] Nichenametla,P.(2021, October 20) *Attacks on TDP offices: Chandrababu Naidu seeks central rule in Andhra Pradesh*.Deccan Herald https://www.deccanherald.com/india/attacks-on-tdp-offices-chandrababu-naidu-seeks-central-rule-in-andhra-pradesh-1042523.html

[56] Oommen, P. (2021, October 23). Chandrababu Naidu demands President's rule in Andhra Pradesh, here's why. The News Minute. https://www.thenewsminute.com/andhra-pradesh/chandrababu-naidu-demands-president-s-rule-andhra-pradesh-here-s-why-156830

[57]The Federal.(2023, December 20). CBI investigation: 10 states have withdrawn general consent, says Centre. https://thefederal.com/category/news/cbi-investigation-10-states-have-withdrawn-general-consent-says-centre-103951

[58] Scroll Staff. (2021,November 16).*West Bengal Assembly passes resolution against Centre's extension of BSF jurisdiction in state* *https://scroll.in/latest/1010715/west-bengal-assembly-passes-resolution-against-centres-extension-of-bsf-jurisdiction-in-state*

[59]Scroll Staff. (2021,November 16).*West Bengal Assembly passes resolution against Centre's extension of BSF jurisdiction in state* *https://scroll.in/latest/1010715/west-bengal-assembly-passes-resolution-against-centres-extension-of-bsf-jurisdiction-in-state*

[60]Scroll Staff. (2021, November 16). West Bengal Assembly passes resolution against Centre's extension of BSF jurisdiction in state. Scroll.in. https://scroll.in/latest/1010715/west-bengal-assembly-passes-resolution-against-centres-extension-of-bsf-jurisdiction-in-state

[61]Indian National Congress. (2024). Nyay Patra: Lok Sabha Elections 2024 manifesto — Defending the Constitution. https://manifesto.inc.in/en/defending-the-constitution/

[62] Bose, M. (2020, October 21). *Maharashtra govt withdraws general consent for CBI*. Deccan Herald. https://www.deccanherald.com/india/maharashtra-govt-withdraws-general-consent-for-cbi-905344.html

[63]*Subhash Desai v. Principal Secretary, Governor of Maharashtra*, 2023 INSC 516 (Supreme Court of India, May 11, 2023). https://indiankanoon.org/doc/12168609/

Desai verdict, Uddhav Thackeray called for the post of Governor to be abolished.[64]

CONCLUSION

India has a strong constitutional framework; however, many times it has been observed, with regard to the powers exercised by the Centre, that there is an underlying and evident gap when execution is compared to that in a state, which makes the system of administration and intervention more unfair for the state legislatures. Provisions such as Article 355 still have an undefined and ambiguous bar of what 'internal disturbance' means to the state, which leads to the arbitrary usage of Article 356 by the central government against state governments led by opposition parties, creating distrust between the Union and the state. The usage of Article 352 during peacetime has also caused serious dilemmas regarding federalism and how it should really be protected.

[64]Bose, M. (2023, May 12). Scrap post of Governor: Uddhav Thackeray after SC verdict. Deccan Herald. https://www.deccanherald.com/india/scrap-post-of-governor-uddhav-thackeray-after-sc-verdict-1218122.html

Agenda 2: Evaluating the command structure and statutory limits of central armed police forces (CAPF)

AGENDA OVERVIEW

The agenda focuses on evaluating the legal and operational architecture governing India's Central Armed Police Forces(CAPF) across their roles in border protection and maintaining internal security. It covers how forces assigned to border security, such as the Border Security Force (BSF) and Indo-Tibetan Border Police (ITBP), differ in operations when compared to the internal security forces such as the Central Reserve Police Force(CRPF). Various. Legislative acts such as the CRPF Act (1949) and the BSF Act (1968) frequently lead to functional disputes between the armed forces and state police authorities.

The CAPF, in particular, have come across various administrative issues involving cadre management and senior command structures, including the recent CAPF Bill of 2026 passed in Parliament. Ongoing disputes such as reserving senior positions for the Indian Police Service (IPS) officers, granting Organised Group 'A' Service(OGAS) status, and Non-Functional Financial Upgradation(NFFU) to cadre officers will be addressed, along with career stagnation due to lack of promotions faced by them.

The aspects of personal well-being of the forces will also be given close attention. Key areas include hardship deployments, reducing administrative friction between central and state forces, and modernising statutory frameworks. The objective is to formulate balanced policy proposals that address cadre career progression, streamline command hierarchies, and ensure a cohesive internal security architecture.

BACKGROUND

Composition of the CAPF

The Ministry of Home Affairs (MHA) designates seven forces as Central Armed Police Forces (CAPF): the Assam Rifles, the Border Security Force (BSF), the Central Industrial Security Force (CISF), the Central Reserve Police Force (CRPF), the Indo-Tibetan Border Police (ITBP), the National Security Guard (NSG) and the Sashastra Seema Bal (SSB).[65] Each Force was raised under its own statute and for a distinct mandate, and each is administered by the MHA rather than by the Ministry of Defence. The BSF, for example, operates under the Border Security Force Act, 1968, Section 139 of which governs the extent of its jurisdiction inland from the international border [66]

IPS officers in senior CAPF Cadres

Senior CAPF positions have traditionally been occupied by IPS officers on deputation rather than through internal cadre promotion. On 12 July 2019, a DoPT Office Memorandum designated the CAPF as Organised Group 'A' Services (OGAS).[67] In Sanjay Prakash & Ors. v. Union of India & Ors. (23 May 2025), Justices Abhay S. Oka and Ujjal Bhuyan confirmed that the CRPF, BSF, CISF, ITBP, and SSB are OGAS for all purposes.[68] The Supreme Court directed the MHA to complete cadre reviews and revise recruitment rules with cadre officer participation within six months, while progressively reducing deputation posts up to Senior Administrative Grade (SAG) level

[65] Ministry of Home Affairs, Government of India. (n.d). *Central Armed Police Forces* https://www.mha.gov.in/en/about-us/central-armed-police-forces
[66] Jain, A. (2024, January 23). *SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter*. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/
[67] *Sanjay Prakash & Ors. v. Union of India & Ors.*, 2025 INSC 779 (Supreme Court of India, May 23, 2025). https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf
[68] *Sanjay Prakash & Ors. v. Union of India & Ors.*, 2025 INSC 779 (Supreme Court of India, May 23, 2025). https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf

within two years without affecting existing IPS deputation rights. [69]

Introduction of CAPF Bill 2026

The Central Armed Police Forces (General Administration) Bill, 2026 was introduced in the Rajya Sabha by the Ministry of Home Affairs on 25 March 2026, passed by the Rajya Sabha on 1 April 2026 and by the Lok Sabha on 2 April 2026.[70] It received the assent of President Droupadi Murmu and was notified as the Central Armed Police Forces (General Administration) Act, 2026 in April 2026.[71] The Act is applicable to five out of the seven CAPF: the CRPF, BSF, CISF, ITBP and SSB. It further allows the central government to extend it to other forces by notification.

The Act applies to Group 'A' officers of the rank of Assistant Commandant and above, IPS officers on deputation, and Army officers on deputation or re-employment. It provides that fifty per cent of the posts of Inspector General and not less than sixty-seven per cent of the posts of Additional Director General shall be filled through deputation, and that all posts of Director General and Special Director General shall be filled through deputation. It further empowers the government to frame rules notwithstanding any other law, any judgment or order of any court, or any government order.[72]

The Act has been challenged from its inception. During the Rajya Sabha discussion, Saket Gokhale expressed concern over "the policies of the bill, which place IPS officers in top leadership positions within CAPF", while the Minister of State for Home Affairs, Nityanand Rai, replied that "this Bill in fact makes the federal structure stronger".[73] On 4 August 2026, the Supreme Court issued notice to the Union on two petitions contending that the Act constitutes an impermissible legislative override of Sanjay Prakash and violates Articles 14, 16 and 21.[74]



CAPF Bill, 2026 Tabled at Rajya Sabha
Source: OMMCOM News

KEY ROLES OF THE CAPF

Border Guarding Forces (BSF, Assam Rifles, ITBP, SSB)

There are four CAPF that are designated for particular international borders. The Border Security Force is responsible for the Indo-Pakistan and Indo-Bangladesh borders, the Indo-Tibetan Border Police for the Indo-China border, the Sashastra Seema Bal for the Indo-Nepal and Indo-Bhutan borders, and the Assam Rifles for the Indo-Myanmar border.[75] The territorial reach of a border guarding force inside

[69] *Sanjay Prakash & Ors. v. Union of India & Ors.*, 2025 INSC 779 (Supreme Court of India, May 23, 2025). https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf
[70] PRS Legislative Research.(2026).*The Central Armed Police Forces (General Administration) Bill, 2026*. https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026
[71] Manorama Yearbook. (2026, April 10). *Centre notifies CAPF (General Administration) Act after President's assent* https://www.manoramayearbook.in/current-affairs/india/2026/04/10/capf-general-administration-act-president-s-assent.html'
[72] PRS Legislative Research. (2026). *The Central Armed Police Forces (General Administration) Bill, 2026* https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026
[73] Mandhani, A. (2026, April 1). *Nadda, Kharge go head-to-head as Rajya Sabha passes CAPF Bill amid Oppn walkout*. ThePrint. https://theprint.in/india/nadda-kharge-go-head-to-head-as-rajya-sabha-passes-capf-bill-amid-oppn-walkout/2894170/
[74] Bakshi, G. K. (2026, August 4). *Supreme Court seeks Union's response on plea challenging CAPF Act allowing IPS deputation contrary to SC judgment*. LiveLaw. https://www.livelaw.in/top-stories/supreme-court-seeks-unions-response-on-plea-challenging-capf-act-allowing-ips-deputation-contrary-to-sc-judgment-544233
[75]Factly. (n.d.). Who is guarding our International Borders? https://factly.in/guarding-international-borders/

India is set by statute and by notification. Section 139 of the Border Security Force Act, 1968 determines the jurisdiction of the BSF.[76]

Operations against Left Wing Extremism (CRPF, CoBRA)

Of all the CAPF, the CRPF ranks highest in terms of allocation, receiving Rs 38,518 crore in 2026-27, which is 33 per cent of the total allocation for CAPF.[77] On 28 September 2025, the Union Home Minister, Amit Shah, stated that "Left-Wing Extremism will be completely eradicated by 31st March next year", and that the government had worked on "three key pillars-dialogue, security, and coordination".[78] The deadline was declared met. On 31 March 2026, the Union Home Minister told Parliament, "I can say it openly that we have become Naxal-free." He qualified this by noting that all but two Maoist commanders had been killed or had surrendered, and that he would inform the country once the entire operation was completed.[79]

Security deployment in affected areas is planned to continue until at least 2027.[80] Specialised units operate within this mandate. The Commando Battalion for Resolute Action (CoBRA) is a CRPF formation trained for guerrilla and jungle warfare and raised specifically to address the Maoist insurgency. Ten CoBRA battalions were raised between 2008 and 2011 and deployed across Chhattisgarh, Bihar, Odisha, Jharkhand, Madhya Pradesh, Maharashtra, West Bengal, Andhra Pradesh, Assam and Meghalaya. Personnel are selected from within the CRPF and undergo intensive training in commando tactics and jungle warfare before deployment.[81]

Deployment for Election Duty

CAPF personnel are deployed on election duty on requisition by the Election Commission (EC). According to Order No. 9228 of the Supreme Court, it was emphasised that at least one jawan from the CAPF must be posted at the entrance of the polling station so that they can keep a watch on the proceedings that are going on inside the polling station and to ensure that no irregularity or malpractices are committed by either the polling staff or outsiders in the poll process. The order further expanded that in cases where two polling stations are placed within the same building, the jawans may have to oscillate from one place to another to keep a check on the stations. During the 2024 General Elections and four subsequent assembly elections following it, around 3.4 lakh CAPF personnel were deployed as security during the elections.[82]

Counter-Terror Intervention (NSG)

Under the Ministry's National Counter-Terrorism Policy and Strategy, the NSG sits within a layered structure rather than at its head. The local police are the first responders to any attack, aided by specialised State and central anti-terror forces. The NSG is defined in this regard as "the nodal national Counter-

[76] Jain, A. (2024, January 23). *SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter*. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/

[77] PRS Legislative Research. (2026). *Demand for Grants 2026-27 Analysis: Home Affairs*. https://prsindia.org/budgets/parliament/demand-for-grants-2026-27-analysis-home-affairs

[78] News on AIR. (2025, September 28). *Home Minister Amit Shah says government started working on dialogue, security, and coordination resulting in 70 percent decline in deaths of security personnel in North-East* https://newsonair.gov.in/amit-shah-left-wing-extremism-to-end-by-march-2026/

[79] Agence France-Presse. (2026, March 31). *India declares country free of Maoist insurgency after nearly six decades*. Malay Mail. https://www.malaymail.com/news/world/2026/03/31/india-declares-country-free-of-maoist-insurgency-after-nearly-six-decades/214522

[80] Press Trust of India. (2025, May 18). *Forces to remain in LWE-hit areas beyond March 2026 to prevent Maoists' return, engage with locals*. Deccan Herald. https://www.deccanherald.com/india/chhattisgarh/forces-to-remain-in-lwe-hit-areas-beyond-march-2026-to-prevent-maoists-return-engage-with-locals-3546100

[81] Central Reserve Police Force. (n.d.). *CoBRA Sector: About Sector*. https://crpf.gov.in/Dte/Zone/Directorate-General/CoBRA-Sector/About-Sector

[82] ThePrint. (2024, February 15). *EC seeks 3.4 lakh CAPF personnel for deployment in LS polls, Assembly elections in 4 states*. https://theprint.in/india/ec-seeks-3-4-lakh-capf-personnel-for-deployment-in-ls-polls-assembly-elections-in-4-states/1966668/

Terror Force under MHA", whose role is to assist State forces in cases of major terror attacks. The investigative role is shared between the National Investigation Agency and State police agencies. Apart from the operational role, the NSG trains State counter-terror units in urban combat, and the policy highlights the need to develop such capacities in State and Union Territory counter-terrorism units and Anti-Terrorism Squads.[83]

Beyond operational response, the NSG carries a training mandate. The policy notes that "NSG's training in urban combat caters to the need of specialised CT Forces in different States", and records "a continual need for capacity building of the Counter Terrorism units/ATSs of States/UTs to respond to, neutralise and investigate terror-related incidents". It further observes that "in a multi-agency environment, standardisation of processes and procedures ensure similar and synergistic responses", and that there is "a move for having uniform anti-terrorism structure in the States".[84]

Assam Rifles

Raised in 1835, the Assam Rifles is India's oldest paramilitary force and functions under a distinct dual-control structure not shared by any other CAPF: its administration (recruitment, budget, and service conditions) falls under the Ministry of Home Affairs, while its operational command rests with the Indian Army under the Ministry of Defence.[85] This structure, defined under the Assam Rifles Act, 2006, allows the force to act as a designated border-guarding force for the roughly 1,643-kilometre Indo-Myanmar border, in the same way the BSF secures the Pakistan and Bangladesh frontiers, while also conducting counter-insurgency and internal-security operations across the Northeastern states, often under the Armed Forces (Special Powers) Act .[86]

The force's dual-control arrangement has itself been a long-standing point of friction between the MHA and the Ministry of Defence. A 2001 Group of Ministers formed after the Kargil War had recommended placing Assam Rifles entirely under the MHA, a proposal the MoD has consistently resisted, citing the force's deep operational ties to the Army [3]. This unresolved tension has practical consequences for personnel as well, with veterans' associations pointing out that Assam Rifles jawans face longer waiting periods for promotions and are denied certain casualty and pension benefits compared to personnel in other CAPF, precisely because of the ambiguity over which ministry's rules apply to them.[87]

CAUSES

Reservation for IPS officers

The Central Armed Police Forces (General Administration) Act, 2026 states that fifty per cent of Inspector General posts, not less than sixty-seven per cent of Additional Director General posts, and all Director General and Special Director General posts shall be filled through deputation.[88] The Supreme Court, in Sanjay Prakash & Ors. v. Union of India & Ors., decided on 23 May 2025, had directed that posts reserved for deputation up to the level of Senior Administrative Grade be progressively reduced within an outer limit of two years.[89] During the Rajya

[83] Ministry of Home Affairs, Government of India. (2026). *National Counter-Terrorism Policy and Strategy*. https://www.mha.gov.in/sites/default/files/PRAHAAREng_23022026.pdf
[84] Ministry of Home Affairs, Government of India. (2026). *National Counter-Terrorism Policy and Strategy*. https://www.mha.gov.in/sites/default/files/PRAHAAREng_23022026.pdf
[85] *Assam rifles and the tussle between MOD and MHA*. CivilsDaily. (2020, September 7). https://www.civilsdaily.com/news/assam-rifles-and-the-tussle-between-mod-and-mha/
[86] *Assam rifles*. Model Diplomat. (n.d.-a). https://modeldiplomat.com/learn/glossary/assam-rifles
[87] Purkayastha, S. K. (2025, March 27). *End your war, assam rifles pleads with defence and Home Ministries*. The Federal. https://thefederal.com/category/news/assam-rifles-control-home-defence-ministry-178611
[88] PRS Legislative Research. (2026). *The Central Armed Police Forces (General Administration) Bill, 2026* https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026
[89] *Sanjay Prakash & Ors. v. Union of India & Ors.*, 2025 INSC 779 (Supreme Court of India, May 23, 2025).

Sabha discussion on the Bill on 1 April 2026, Saket Gokhale expressed concern over "the policies of the bill, which place IPS officers in top leadership positions within CAPF".[90] Following the passage of the Act, around 3,000 serving CAPF Group A cadre officers moved the Supreme Court to challenge its provisions, arguing that the law negates the 2025 verdict and exacerbates promotion stagnation by prioritising IPS deputations over cadre progression. [91]

Geographical Limits

The October 2021 notification did not affect all States equally, because the length of the international border and the density of settlement behind it vary widely. In West Bengal, where the border with Bangladesh runs 2,216.7 kilometres, the fifty-kilometre belt covers close to one-third of the State. Ten of West Bengal's twenty-three districts share that border, among them North 24 Parganas, and the affected area accounts for twenty-one of the State's forty-two Lok Sabha seats.[92]

Sukhendu Shekhar Roy, TMC Rajya Sabha chief whip and national spokesperson, said, "Almost all major towns of Bengal's Bangladesh-bordering districts come within this 50 km limit, including several district headquarters".[93] Other states like Punjab have instituted proceedings in the Supreme Court contending that a fifty-kilometre belt would bring the State capital within BSF jurisdiction and that the extension infringes the State List entries of 'police' and 'public order', while the Union has contended that the extension falls within Union List entries relating to national defence and the deployment of armed forces.[94]

Overlapping Jurisdictions

CAPF functions in States where 'police' and 'public order' are entries in the State List of the Seventh Schedule.[95] Where Central and State forces operate in the same zone, the division of responsibility for intelligence and for the conduct of operations is not always settled.

In August 2023, the Manipur Police filed a First Information Report against the Assam Rifles over obstruction of a search operation, an allegation a senior Assam Rifles officer described as 'bizarre'.[96]



Rally in Manipur Against Assam Rifles Camp
Source: NewsClick

https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf

[90] News on AIR. (2026, April 1). *Rajya Sabha begins discussion on CAPF (General Administration) Bill 2026* https://newsonair.gov.in/rajya-sabha-begins-discussion-on-central-armed-police-forces-general-administration-bill-2026/

[91] Singh, A. (2026, August 3). *3,000 cadre officers move supreme court against CAPF act, hearing likely on August* . The Tribune. https://www.tribuneindia.com/news/india/3000-cadre-officers-move-supreme-court-against-capf-act-hearing-likely-on-august-4/

[92] Bhattacharya, S. (2021, October 19). *Changes in BSF law to bring one-third area in West Bengal under central agency*. The Wire. https://thewire.in/rights/changes-in-bsf-law-to-bring-one-third-area-in-west-bengal-under-central-agency

[93] The Wire. (2021, October 19). *Changes in BSF law to bring one-third area in West Bengal under Central Agency*. The Wire. https://m.thewire.in/article/rights/changes-in-bsf-law-to-bring-one-third-area-in-west-bengal-under-central-agency

[94] Jain, A. (2024, January 23). *SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter*. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/

[95] Jain, A. (2024, January 23). *SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter*. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/

[96] Bhardwaj, A. (2023, August 8). *Manipur Police file FIR against Assam Rifles, accuse force of helping 'Kuki militants escape freely'*. ThePrint. https://theprint.in/india/manipur-police-file-fir-against-assam-rifles-accuse-force-of-helping-kuki-militants-escape-freely/1705346/

CAPF OGAS And NFFU Endorsement Deficit

An Office Memorandum of the Department of Personnel and Training dated 12 July 2019 classified the CAPF as Organised Group A Services.[97] In Sanjay Prakash, the Supreme Court gave full OGAS status to the five major CAPF, noted their existing NFFU benefits, and ordered six-month deadlines for completing cadre reviews and updating recruitment rules with cadre officer participation.[98] The Central Armed Police Forces (General Administration) Act, 2026 empowers the government to frame rules notwithstanding any other law, any judgment or order of any court, or any government order.[99]

Statutory Reforms

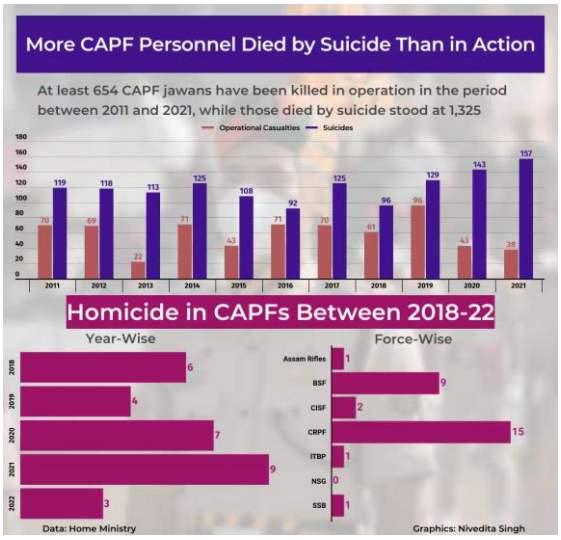
Each of the CAPF is constituted under its own statute, among them the Central Reserve Police Force Act, 1949, the Border Security Force Act, 1968, the Central Industrial Security Force Act, 1968 and the Indo-Tibetan Border Police Force Act, 1992. The Central Armed Police Forces (General Administration) Act, 2026 provides a uniform framework for recruitment, deputation, promotion and conditions of service for five of the seven CAPF, and allows the government to extend it to other forces by notification[100]. In his statement in the Rajya Sabha, Brij Lal argued that the Bill is intended "to bring uniformity in recruitment and service conditions, enhance legal empowerment, and reduce litigation".[101]

On 4 August 2026, the Supreme Court issued a notice to the Union on two petitions challenging the Act.[102]

CHALLENGES

Mental Health Crisis in the Forces

From 2020 to 2024, 730 CAPF personnel died by suicide, 47,891 retired voluntarily and 7,664 resigned, based on statistics provided by the Minister of State for Home Affairs, Nityanand Rai.[103] From 2023 to 2025, there were 159 suicides in the CRPF, 120 in the BSF and 60 in the CISF.



CAPF Personnel Suicides Between 2011 and 2021
Source: News18

The Standing Committee on Home Affairs has identified "prolonged separation from families,

[97] *Sanjay Prakash & Ors. v. Union of India & Ors.*, 2025 INSC 779 (Supreme Court of India, May 23, 2025). https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf
[98] *Sanjay Prakash & Ors. v. Union of India & Ors.*, 2025 INSC 779 (Supreme Court of India, May 23, 2025). https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf
[99] PRS Legislative Research. (2026). *The Central Armed Police Forces (General Administration) Bill, 2026*. https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026
[100] PRS Legislative Research. (2026). *The Central Armed Police Forces (General Administration) Bill, 2026*. https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026
[101] News on AIR. (2026, April 1). *Rajya Sabha begins discussion on CAPF (General Administration) Bill 2026*. https://newsonair.gov.in/rajya-sabha-begins-discussion-on-central-armed-police-forces-general-administration-bill-2026/
[102] Bakshi, G. K. (2026, August 4). *Supreme Court seeks Union's response on plea challenging CAPF Act allowing IPS deputation contrary to SC judgment*. LiveLaw. https://www.livelaw.in/top-stories/supreme-court-seeks-unions-response-on-plea-challenging-capf-act-allowing-ips-deputation-contrary-to-sc-judgment-544233
[103] Joy, S. (2024, December 7). *Over 55,000 voluntary retirements or resignations in CAPF in last 5 years; 730 personnel died by suicide*. Deccan Herald. https://www.deccanherald.com/india/over-55000-voluntary-retirements-or-resignations-in-capf-in-last-5-years-730-personnel-died-by-suicide-3307751

mental health issues, financial stress, and interpersonal conflicts" as contributing factors, and has recorded that personnel "routinely work 12-14 hours a day with limited weekly rest".[104]

Vacancies in Defence Forces

As of July 2024, the CAPF had a sanctioned strength of approximately 10.5 lakh personnel with a vacancy rate of about 8 per cent, unevenly spread across the forces: 19 per cent in the CISF, 10 per cent in the CRPF, 9 per cent in the ITBP, 6 per cent in the SSB, 5 per cent in the Assam Rifles and 4 per cent in the BSF. The Standing Committee observed that "persistent vacancies increase workload on existing personnel and adversely affect operational efficiency".[104]

Personnel Career Stagnation

Career stagnation in the CAPF is a matter of how long officers wait rather than of what any rule permits. Roughly 13,000 cadre officers serve across the forces. In the CRPF and the BSF, Assistant Commandants with more than sixteen years of service have yet to receive their first promotion to Deputy Commandant, while IPS officers with fourteen years of service join the same forces at the rank of Deputy Inspector General. One retired officer recorded that of the thirty-four officers in his batch, only two had reached the rank of Additional Director General after more than thirty-eight years of service.[105]

Serving and retired officers have described the effect in similar terms. H. R. Singh, a former Additional Director General of the CRPF, called the situation "quite demoralising for our cadre officers" and said that the issue was "a matter of national security".[106]

Between 2020 and 2024, 47,891 CAPF personnel took voluntary retirement, and 7,664 resigned.[107]

Tensions between State Forces and CAPF

An FIR was filed against the Assam Rifles by the Manipur Police in August 2023, alleging that its personnel had obstructed a search operation and allowed suspected militants to escape; the allegation was described as "bizarre" by a senior Assam Rifles officer, who said that one armed force should not be filing cases against another.[108]

Deployment also carries a financial dimension. As of October 2022, States had outstanding dues of nearly Rs 50,000 crore for CAPF deployment, the largest part of it attributable to the CRPF. The Standing Committee on Home Affairs has recorded a "steady increase in requests from states" for CAPF deployment for internal security, resulting in "limited rest and training cycles".[109]

Personnel Dispute over NPS and Old Pension Scheme

The National Pension System (NPS) came into effect on 1 January 2004 and is applicable to all central government employees recruited from that date, except for military personnel. Under the NPS, an employee contributes ten per cent of salary each month, whereas the Old Pension Scheme required no employee contribution. CAPF personnel recruited before 2004 come under the Old Pension Scheme,

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[104] PRS Legislative Research. (2026). *Demand for Grants 2026-27 Analysis: Home Affairs*. https://prsindia.org/budgets/parliament/demand-for-grants-2026-27-analysis-home-affairs

[105] Arora, K. (2026, March 16). *'Demoralising for 13,000 officers': CAPF bill faces backlash from veterans*. The Statesman.https://www.thestatesman.com/india/capf-bill-2026-supreme-court-cadre-promotions-1503570768.html

[106] Arora, K. (2026, March 16). *'Demoralising for 13,000 officers': CAPF bill faces backlash from veterans*. The Statesman.https://www.thestatesman.com/india/capf-bill-2026-supreme-court-cadre-promotions-1503570768.html

[107] Joy, S. (2024, December 7). *Over 55,000 voluntary retirements or resignations in CAPF in last 5 years; 730 personnel died by suicide*. Deccan Herald.https://www.deccanherald.com/india/over-55000-voluntary-retirements-or-resignations-in-capf-in-last-5-years-730-personnel-died-by-suicide-3307751

[108] Bhardwaj, A. (2023, August 8). *Manipur Police file FIR against Assam Rifles, accuse force of helping 'Kuki militants escape freely'*. ThePrint. https://theprint.in/india/manipur-police-file-fir-against-assam-rifles-accuse-force-of-helping-kuki-militants-escape-freely/1705346/

[109] PRS Legislative Research. (2026). *Demand for Grants 2026-27 Analysis: Home Affairs*. https://prsindia.org/budgets/parliament/demand-for-grants-2026-27-analysis-home-affairs

whereas those recruited after that date come under the NPS.[110]

In January 2023, while deciding 82 petitions filed by paramilitary personnel, the Delhi High Court ruled that CAPF personnel are armed forces of the Union under Article 246 read with Entry 2 of List I of the Seventh Schedule, and were therefore entitled to the Old Pension Scheme.[111]

On 5 July 2023, a bench of Justices Sanjiv Khanna and Bela M. Trivedi of the Supreme Court stayed that judgment, clarifying that CAPF personnel recruited before 2004 continue to be eligible.[112] In December 2021, the government had told Parliament that there was no proposal under consideration for separate service and pension rules for CAPF personnel.[113]

IMPACTS

Federalism and Centre-State Dimension

That division has been litigated directly. In its suit against the Union before the Supreme Court under Article 131, Punjab asserted that the increase in the jurisdiction of the Border Security Force from fifteen to fifty kilometres breaches the State List entries of 'police' and 'public order', while the Union argued that the increase pertains to Union List entries on national defence and the use of armed forces.[114] The West Bengal Legislative Assembly adopted a resolution against the same notification, its Parliamentary Affairs Minister Partha Chatterjee stating that "enhancing the area of jurisdiction of the BSF is a direct attack on the country's federal structure".[115]

Disputes between Central and State police forces have also been exposed publicly. The Central Armed Police Forces (General Administration) Act, 2026 does not change the constitutional division of functions, but reserves all posts of Director General and Special Director General, and fifty per cent of the posts of Inspector General, to be filled by deputation.[116]

Ex-Servicemen and Civil Society

Retiring personnel of the CAPF do not come under the category of ex-servicemen and the privileges associated with being an ex-serviceman are also not automatically available to them. Ex-Central Paramilitary Forces Welfare Association has been demanding the full implementation of the 2012 Cabinet Committee on Security (CCS) order, wherein it is asked that States provide equivalent benefits to the CAPF personnel as they give to the ex-servicemen along with implementing One Rank One Pension. Retired DIGP V. K. Sharma, who heads the association, said that "personnel of BSF, CRPF, CISF, ITBP, SSB and Assam Rifles are still governed by

[110]Scroll Staff. (2023, July 10). *SC stays extension of Old Pension Scheme to paramilitary forces personnel inducted after 2004*. Scroll.in https://scroll.in/latest/1052339/supreme-court-stays-delhi-hc-order-directing-old-pension-scheme-benefits-to-capf-personnel

[111]Kumar, S. (2023, July 8). *Supreme Court stays Delhi HC judgment holding that Old Pension Scheme is applicable to paramilitary forces*. LiveLaw. https://www.livelaw.in/top-stories/supreme-court-stay-delhi-high-court-judgment-old-pension-scheme-para-military-forces-232223

[112]Scroll Staff. (2023, July 10). *SC stays extension of Old Pension Scheme to paramilitary forces personnel inducted after 2004*. Scroll.in https://scroll.in/latest/1052339/supreme-court-stays-delhi-hc-order-directing-old-pension-scheme-benefits-to-capf-personnel

[113]Press Trust of India. (2021, December 15). *No proposal under consideration for separate service, pension rules for CAPF personnel: Govt*. Deccan Herald. https://www.deccanherald.com/india/no-proposal-under-consideration-for-separate-service-pension-rules-for-capf-personnel-govt-1061043.html

[114]Jain, A. (2024, January 23). *SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter*. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/

[115]Scroll Staff. (2021, November 16). *West Bengal Assembly passes resolution against Centre's extension of BSF jurisdiction in state*. Scroll.in https://scroll.in/latest/1010715/west-bengal-assembly-passes-resolution-against-centres-extension-of-bsf-jurisdiction-in-state

[116]PRS Legislative Research. (2026). *The Central Armed Police Forces (General Administration) Bill, 2026*. https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026

different service and post-retirement rules, leading to disparities in benefits."[117]

In December 2021, the government informed Parliament that there was no proposal under consideration regarding separate service and pension rules for CAPF personnel.[118] In 2016, the government had separately clarified that the term 'martyr' is not used officially for CAPF personnel who die in the line of duty.[119]

CASE STUDIES

CRPF vs. Chhattisgarh Police

Twenty-five CRPF personnel were killed on 24 April 2017 in a Maoist ambush along the Burkapal-Chintalgufa axis of Sukma district, Chhattisgarh. An internal probe by the CRPF into the attack highlighted several deficiencies, including gaps in intelligence, leadership, training and living conditions, and recorded that there was "no intelligence from either the Intelligence Bureau or the local police of a major Maoist build-up". The report was critical of "a lackadaisical approach from the police", and the force subsequently adopted the position that "the local police will now have to take the lead in generating intelligence".[120]



CRPF Discovers Naxal Munition Dump

Source: ETV Bharat

This pointed to a clear breakdown in coordination and communication between the central forces and the state police. Due to operational oversights such as inadequate route security measures and delayed emergency evacuations, the defence units were left vulnerable during the engagement. [121]Ultimately, the incident demonstrated the limits of deploying central forces in complex combat zones without a unified command structure and streamlined the joint coordination between the CRPF and the Chhattisgarh state police. As a result, 25 jawans were killed in the Sukma clash between the CRPF and Maoists.[122]

Sanjay Prakash v. Union of India

In Sanjay Prakash & Ors. v. Union of India & Ors. (decided on 23 May 2025), the Supreme Court directed that the cadre review of the Group 'A' services should be completed in six months, and that the Ministry of Home Affairs should revise its recruitment rules in six months with the participation of cadre officers, and that posts reserved for deputation up to the level of Senior Administrative Grade should be progressively reduced within an outer limit of two years, without affecting the existing right of IPS

[117] Daily Excelsior. (2025, December 1). *Ex-CPMF Welfare Assn urges GoI to address retired CAPF personnel's pending issues* https://www.dailyexcelsior.com/ex-cpmf-welfare-assn-urges-goi-to-address-retired-capf-personnels-pending-issues/

[118] Press Trust of India. (2021, December 15). *No proposal under consideration for separate service, pension rules for CAPF personnel: Govt*. Deccan Herald. https://www.deccanherald.com/india/no-proposal-under-consideration-for-separate-service-pension-rules-for-capf-personnel-govt-1061043.html

[119] DHNS. (2016, March 2). *'Martyr' not used in reference to casualties: Govt*. Deccan Herald. https://www.deccanherald.com/india/martyr-not-used-reference-causalties-2052020

[120] Datta, S. (2017, May 23). CRPF report on Maoist attack that killed 25 men in Sukma blames weak intelligence, poor leadership. Scroll.in. https://scroll.in/article/838417/crpf-report-on-maoist-attack-that-killed-25-men-in-sukma-blames-weak-intelligence-poor-leadership

[121] *Chhattisgarh police failed to provide intelligence prior to the Sukma attack, says CRPF*. https://www.indiatoday.in/india/story/sukma-attack-maoist-naxal-crpf-chhattisgarh-police-burkapal-974633-2017-05-01

[122] India, T. O. (2017, April 24). *25 Jawans killed as Maoists attack CRPF team in Chhattisgarh's Sukma*. The Times of India. https://timesofindia.indiatimes.com/india/11-jawans-killed-in-encounter-with-maoists-in-chhattisgarhs-sukma/articleshow/58342994.cms

officers to deputation.[123] The Central Armed Police Forces (General Administration) Act, 2026 thereafter provided that fifty per cent of the posts of Inspector General, not less than sixty-seven per cent of the posts of Additional Director General, and all posts of Director General and Special Director General are to be filled through deputation.[124] On 4 August 2026, a bench comprising Justices Manoj Misra and Vijay Bishnoi issued notice to the Union on two separate petitions filed by 34 and 890 officers, alleging that the Act amounts to an impermissible legislative override of the judgment and contravenes Articles 14, 16 and 21.[125]

The petitioners, together representing over 3,000 CAPF officers across the CRPF, CISF, and other forces, sought a declaration that Sections 3 and 4 of the 2026 Act are unconstitutional, and asked the Court to instead ensure full implementation of its 2025 proceedings.[126]The matter remains pending, with the Court having granted no interim stay on the Act and having listed the case for further hearing on 18 November 2026. On the same matter, a different bench of the Supreme Court sought an explanation directly from the Union Home Secretary on the Centre's compliance with the 2025 Judgement, in the course of hearing related contempt petitions filed by CAPF cadre officers over the same issue.[127]

BSF Jurisdictional Extension (Punjab and West Bengal)

The notification issued in October 2021 expanded the jurisdictional area of the Border Security Force from fifteen to fifty kilometres from the international border in five States, including Punjab and West Bengal.[128] The Chief Minister of Punjab, Charanjit Singh Channi, stated: "I strongly condemn the Government's unilateral decision to give additional powers to the BSF within the 50 KM belt running along the international borders, which is a direct attack on federalism."[129] Punjab subsequently filed a case before the Supreme Court under Article 131.[130]

In November 2021, the West Bengal Legislative Assembly passed a resolution against the notification by 112 votes to 63, with its Parliamentary Affairs Minister, Partha Chatterjee, stating that "enhancing the area of jurisdiction of the BSF is a direct attack on the country's federal structure".[131] The Union Minister

[123] Sanjay Prakash & Ors. v. Union of India & Ors., 2025 INSC 779 (Supreme Court of India, May 23, 2025).https://api.sci.gov.in/supremecourt/2020/21834/21834_2020_3_1507_62112_Judgement_23-May-2025.pdf
[124] PRS Legislative Research. (2026). The Central Armed Police Forces (General Administration) Bill, 2026 . https://prsindia.org/billtrack/the-central-armed-police-forces-general-administration-bill-2026
[125] Bakshi, G. K. (2026, August 4). Supreme Court seeks Union's response on plea challenging CAPF Act allowing IPS deputation contrary to SC judgment. LiveLaw. https://www.livelaw.in/top-stories/supreme-court-seeks-unions-response-on-plea-challenging-capf-act-allowing-ips-deputation-contrary-to-sc-judgment-544233
[126] Crack, S. (2026a, August 5). *Supreme Court notifies centre on CAPF officers' challenge against 2026 Act mandating IPS deputation for senior posts*. Shop SSBCrack. https://shop.ssbcrack.com/blogs/blog/supreme-court-notifies-centre-on-capf-officers-challenge-against-2026-act-mandating-ips-deputation-for-senior-posts
[127]Indian Masterminds, Supreme Court seeks explanation from centre on IPS Deputation in CAPF ,.https://indianmasterminds.com. https://indianmasterminds.com/news/bureaucracy-news/supreme-court-ips-deputation-capfs-cadre-officers-229864/
[128] Jain, A. (2024, January 23). SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/
[129] Bhardwaj, A. (2021, October 14). Move to increase BSF jurisdiction is to 'curb crime', Opposition cries 'attack on federalism'. ThePrint. https://theprint.in/defence/move-to-increase-bsf-jurisdiction-is-to-curb-crime-opposition-cries-attack-on-federalism/750530/
[130] Jain, A. (2024, January 23). SC set to decide dispute over BSF jurisdiction, a look at Punjab govt's plea & Centre's counter. ThePrint. https://theprint.in/judiciary/sc-set-to-decide-dispute-over-bsf-jurisdiction-a-look-at-punjab-govts-plea-centres-counter/1935429/
[131] Scroll Staff. (2021, November 16). West Bengal Assembly passes resolution against Centre's extension of BSF jurisdiction in state. Scroll.in.

of State for Home Affairs, Nityanand Rai, termed these apprehensions ill-founded, asserting that the move "would result in better and more effective control on trans-border crimes".[132]

Key areas of dispute that emerged were that the extension of BSF's border range or their abrupt deployment meant extended control or presence of the Central government over the state's functioning bodies such as trade outposts, major towns and vast agricultural areas. The MHA defended its decision by citing that the extension was necessary to act against trans-border smuggling of drugs, ammunition, and fake currency rackets.

INSTITUTIONAL STAKEHOLDERS

On the grounds of institutional authority, the Ministry of Home Affairs(MHA) has one of the highest degrees of say when it comes to CAPF personnel deployment or with regard to updates made in pre-existing acts that mobilise the usage of Central Armed Forces.[133] In the ministry, the Police II Division is one such body that deals with the specifics of deployment of CAPF armed forces, the CAPF personnel itself, and other matters concerning them, which makes it an important stronghold for the smooth functioning of the cadre.[134] With regard to authority, the cadre divisions in their own right do hold it to a certain extent. Acts such as the CRPF Act 1949, BSF Act of 1968, and the NSG Act of 1986 do grant internal divisions some defined level of authority.[135]

CRPF in its own right is a powerful defence force, considering the fact that it is the largest CAPF cadre out of all the seven departments. The CRPF is an internal safekeeping defence force which prioritises providing assistance to states in times of insurgency.[136]

All of the CAPF except the Assam Rifles have an IPS head serving as the DG, which gives them significant control even over tenured officers. The main argument against this particular system is that the CAPF's main command lies with a body that does not have direct expertise in what the cadre deals with, often sidelining experienced cadre officers with practical know-how of their specific department. The case of Assam Rifles differs from the rest because it comes under the command of the Ministry of Defence and is headed by Army Chiefs rather than the IPS.[137]

POLITICAL PARTY STANCES

Bharatiya Janata Party (BJP)

The most recent case of BJP's involvement in CAPF law-making was the Introduction of the CAPF Act 2026, which granted IPS deputation in senior cadre posts for five of the CAPF forces, namely CRPF, BSF, CISF, ITBP and SSB. Union Minister Brij Lal claimed that the main purpose of the bill is to establish a uniform and integrated framework for CAPF officers, so as to make sure that recruitment and service-based promotions are carried out smoothly.[138] BJP rejected opposition criticism and opinion with regard to the bill, claiming that it undermined the federal

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[132] Press Trust of India. (2021, November 30). Centre dubs apprehensions of Bengal, Punjab on BSF jurisdiction extension notification 'ill-founded'. Deccan Herald. https://www.deccanherald.com/india/centre-dubs-apprehensions-of-bengal-punjab-on-bsf-jurisdiction-extension-notification-ill-founded-1056178.htm

[133] Central Armed Police Forces | Ministry of Home Affairs. https://www.mha.gov.in/en/about-us/central-armed-police-forces

[134] Police II Division | Ministry of Home Affairs. https://www.mha.gov.in/en/divisionofmha/police-ii-division

[135] *Central Armed Police Forces Authority Division*. Model Diplomat. https://modeldiplomat.com/learn/glossary/central-armed-police-forces

[136] Crpf. *CRPF Functioning*. CRPF. https://crpf.gov.in/About-Us/Role-of-CRPF

[137] Organisational structure. (n.d.-e). https://www.assamrifles.gov.in/organisational-structure

[138] *Rajya Sabha begins discussion on CAPF Bill | 2026*. Newsonair. https://newsonair.gov.in/rajya-sabha-begins-discussion-on-central-armed-police-forces-general-administration-bill-2026/

structure of India.[139]Replying in the Rajya Sabha, the Minister of State for Home Affairs, Nityanand Rai, stated, "I want to clarify that this Bill in fact makes the federal structure stronger", adding that the Bill "has been brought to ensure that operations are conducted under a well-organised framework" [140]

Indian National Congress (INC)

As an opposition, the Congress has long stated and supported the demands for CAPF modernisation. Even with regard to the CAPF Bill 2026, Congress leader Chandra Meena opposed the pace at which the bill was being passed, and stated that more time should be invested in discussion of the bill, given that CAPF cadre deals with the nation's territorial and internal security. Furthermore, the Leader of Opposition, Rahul Gandhi, stated that if Congress emerges victorious in the next general elections, they will repeal this bill.[141]

Telugu Desam Party (TDP)

In the past, TDP is known to have sought help from central defence forces in response to attacks on party headquarters in October 2021, during which the party even demanded the centre invoke President's Rule .[142] With regard to the recent CAPF Bill 2026, TDP MP Appalanaidu Kalisetti raised questions about setting up a CAPF pre-recruitment training and facilitation centre in his constituency of Vizianagaram, and flagged concerns over slow promotions and limited senior-level posts within the CAPF despite their Group A status.[143] In the following proceedings that took place, TDP MP Masthan Rao Yadav Beedha was also present in the Rajya Sabha discussion on the CAPF Bill itself, participating alongside members of other NDA and opposition parties as the Bill moved toward passage.[144]

AITC (All India Trinamool Congress)

The TMC as a whole has been supportive of what the CAPF stands for. During the Rajya Sabha Debate (2026), TMC MP Saket Gokhale argued that CAPF are widely regarded as the first line of defence of the country. [145]TMC stressed concern over IPS deputation in the bill that places IPS officers at the top posts while not even going through the process of becoming cadre officers, thus having no experience whatsoever, all while making it difficult for CAPF officers to find promotions. Apart from the bill, whilst AITMC was in power in West Bengal, they on multiple occasions had rifts with the stationing of CAPF soldiers via the centre, which often led to disputes between one and the other.[146]

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[139] *Parliament passes CAPF (General Administration) Bill, 2026 with voice vote*. Parliament passes CAPF (General Administration) Bill, 2026 with Voice Vote | Akashvani News.(n.d.). https://www.newsonair.gov.in/parliament-passes-capf-general-administration-bill-2026-with-voice-vote

[140] Mandhani, A. (2026, April 1). *Nadda, Kharge go head-to-head as Rajya Sabha passes CAPF Bill amid Oppn walkout*. ThePrint. https://theprint.in/india/nadda-kharge-go-head-to-head-as-rajya-sabha-passes-capf-bill-amid-oppn-walkout/2894170/

[141] CAPF legislation will be repealed once Congress comes to power at centre: Rahul Gandhi. (n.d.-c). https://aninews.in/news/national/politics/capf-legislation-will-be-repealed-once-congress-comes-to-power-at-centre-rahul-gandhi20260402140400/

[142] Nichenametla,P.(2021, October 20) *Attacks on TDP offices: Chandrababu Naidu seeks central rule in Andhra Pradesh*.Deccan Herald https://www.deccanherald.com/india/attacks-on-tdp-offices-chandrababu-naidu-seeks-central-rule-in-andhra-pradesh-1042523.html

[143] NFPRC Foundation. (2026, February 4). *Parliamentary proceedings for 3rd February, 2026*. Parliamentary Proceedings for 3rd. https://nfprcfoundation.substack.com/p/parliamentary-proceedings-for-3rd-c50

[144] *Parliament clears capf general administration & jan vishwas amendment bills; also grants statutory status to Amaravati as Andhra Pradesh's Sole Capital:* https://www.newsonair.gov.in/parliament-clears-capf-general-administration-also-grants-statutory-status-to-amaravati-as-andhra-pradeshs-sole-capital

[145] *Rajya Sabha begins discussion on CAPF Bill | 2026*. Newsonair. https://newsonair.gov.in/rajya-sabha-begins-discussion-on-central-armed-police-forces-general-administration-bill-2026/

[146] *CAPF deployment in West Bengal*. ThePrint. (2026, May 2). https://theprint.in/opinion/newsmaker-of-the-week/capf-deployment-west-bengal-indian-electoral-history/2919891/

Shiv Sena (Uddhav Balasaheb Thackeray) (SS-UBT)

Shiv Sena (Uddhav Balasaheb Thackeray) has in the past strongly advocated against the use of central investigative agencies on state governments ruled by opposition political parties. Former Rajya Sabha member of the SS-UBT, Priyanka Chaturvedi, claimed the alleged use of central investigative agencies by the BJP so as to silence any kind of criticism against them.[147]

Being a Part of the I.N.D.I.A, the SS-UBT aligns itself with fellow parties from the bloc.

CONCLUSION

The CAPF handles border security along with maintaining internal security. Both of them are handled by different forces; for example, BSF and ITBP are responsible for border security, whereas the CRPF manages internal security or deals with any kind of insurgency that causes internal instability. Yet in many instances, rifts between the deployment of CAPF and the functioning of state police have also been observed; for example, BSF's border jurisdiction was increased from 15km to 50km in Punjab(2021) unilaterally. Apart from this, the forced deployment of forces in West Bengal has also been deemed an attack on federalism.

Problems such as IPS deputation have also led to various kinds of emotions throughout the cadre forces, followed by the Sanjay Prakash Vs Union of India case, which challenged the IPS reservation for higher positions in CAPF regardless of the fact that IPS officers have never been a part of it. Furthermore, the CAPF bill's introduction in 2026 led to more political uproar, given that the bill yet again prioritised deputation to the IPS for higher posts, all while hindering the promotion of deserving officers in the Cadre. Vacancies and poor working conditions have also led to ripples in the functioning of the CAPF. Though provisions such as OGAs and NFFUs do exist so as to uplift those officers who have found it difficult to get promoted or have a slow rate of advancement, even so, they have still not met an ideal standard of help. All of these issues make one thing certain: to ensure the proper functioning of CAPF, laws dealing with them must be amended regularly so as to keep pace with the ever-changing dynamic of politics in the nation.

[147] *Central probe agencies being used to target opposition leaders: Priyanka Chaturvedi: India News - Times of India*. The Times of India. https://timesofindia.indiatimes.com/india/central-probe-agencies-being-used-to-target-opposition-leaders-priyanka-chaturvedi/articleshow/98639763.cms