

Public Safety Act (PSA)

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Public Safety Act Latest News

Jammu & Kashmir Police have recently invoked the Public Safety Act against 23 individuals in Srinagar, citing their involvement in subversive activities and threats to national security and public order.

About Public Safety Act

- The Jammu & Kashmir Public Safety Act, 1978 (Act No. VI of 1978), is a preventive detention law originally enacted by the J&K State Legislature and now applicable to the Union Territory of Jammu & Kashmir.
- Its primary objective is to empower authorities to detain individuals to prevent actions prejudicial to the security of the state or maintenance of public order.

Public Safety Act Key Provisions

- **Detention Without Trial:** The PSA permits authorities to detain individuals without formal charges or a trial, even if they are already in custody or recently granted bail.

- **No Right to File Bail Application:** Detainees under the PSA cannot seek bail or appoint a lawyer to represent them, leaving them with limited legal representation options.
- **Limited Legal Remedies:** The only way to challenge a PSA detention is through a habeas corpus petition filed by the detained person's relatives in higher courts.
- **Re-Detention Possibility:** Even if a PSA detention order is quashed by the High Court or Supreme Court, the government can issue a fresh detention order.
- **Discretionary Powers:** The District Magistrate who issues the detention order is legally protected, as the PSA considers such actions done "in good faith."
- **Section 8 of the PSA:** It broadly defines grounds for detention, including promoting enmity, instigation, or any acts threatening public harmony, with final decisions left to district authorities.
- **No Distinction Between Offences:** The PSA allows detention for up to one year for disturbing public order and two years for activities harmful to state security.

Public Safety Act FAQs

Q1. What do you mean by Public Safety Act?

Ans. The Public Safety Act is a law that allows authorities to detain people without trial to prevent threats to public order or state security.

Q2. What is the public safety bill in India?

Ans. The public safety bill refers to laws like the Jammu & Kashmir Public Safety Act or National Security Act, which enable preventive detention for maintaining public safety.

Q3. What is Section 13 of the Public Safety Act 1978?

Ans. Section 13 requires authorities to inform detainees of the reasons for their detention within 5 to 10 days, but can withhold details if it is against public interest.

Q4. What was the purpose of public safety?

Ans. The purpose of public safety is to prevent acts that threaten the security of the state or disturb public order.

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