

INTRODUCTION TO INTERNAL SECURITY OF INDIA

Introduction:

Security can be categorized into two groups:

1. **Internal security**- Management of the security within the border of a country. Means maintenance of peace and law and order, and upholding the sovereignty of the country. In our country internal security comes under the purview of **Ministry of Home Affairs**.
2. **External security**- Management of security against aggression by a foreign country. External security sole domain of Armed forces of country. This comes under the ambit of **Ministry of Defence**.

What is National Security?

National Security, in a more traditional sense, refers to the **preservation of the state**, its **territorial integrity**, **political institutions**, and **national sovereignty** from physical threats. But in the modern times the definitions have broadened to include following facets:

- ❑ **Law and order problems**: Problems which do not threaten the national security in traditional terms but create a violent situation which in turn creates breeding ground for a National security situation. These are activities like civil war, ethnic conflict, crime and drugs.
- ❑ **Economic threats**: They indirectly threaten the developmental dynamics by disturbing the economic processes.
- ❑ **Technology driven threats**: Threats like cyber-terrorism, space warfare etc. have assumed increased importance in recent times.
- ❑ **Health Security**: Diseases like Tuberculosis, Malaria and HIV are seen as threats to human security because of the enormous loss of life they cause.

Important aspects of internal security:

- ❑ Upholding the rules and laws made by the authority.
- ❑ Accepting the sovereign power of people.

- ❑ Protecting India's national sovereignty.
- ❑ Securing the territorial integrity of India.
- ❑ Promoting India's rise to its rightful place in international affairs.
- ❑ Ensuring a peaceful internal environment within India.
- ❑ Creating a climate for our citizens that is just, equitable, prosperous, and shields them from risks to life and livelihood.

These aspects of internal security are ensured by the **police**, which is helped by the **central armed police forces**. **Destabilising** a country through the **internal disturbances** is more economical and less objectionable, particularly when **direct warfare** is not an option and international borders cannot be violated.

The **43rd Report to the concerned Parliamentary Standing Committee**, the Ministry of Home Affairs has brought out that **"210 of the 535 districts in the country are affected by serious internal security problems or public disorders"** and **almost 40 per-cent** areas facing serious disorders of one or the other kind.

Challenges to the Internal Security of Country:

1. Political instability and internal social disharmony
 2. Naxalism
 3. Terrorism and nexus with organized crime
 4. Cyber-crime and cyber security
 5. Religious wars and caste crimes
 6. Coastal and border security
 7. Insurgency in North-East and militancy in J&K
- ❑ As conventional war is not resulting the desired result hence, they went for opting other ways like **Psy-Wars (psychological wars)**. This is **fourth generation** warfare disturbing the civil fabric of the nation and instead of conquering land is being replaced by the concept of controlling the minds of the civil society using **Psy-ops (psychological operation)**.

- ❑ These challenges to internal security can increase to multiple fold if, border management is weak so a comprehensive border can act as a check over the threats to the internal security of the country.

Factors responsible for Internal Security Problem in the country:

- ❑ ***Some problems were since the time of independence, but we are failed to resolve them:***
 - Poverty.
 - Unfriendly and hostile neighbors (China, Pakistan etc.)
 - Unemployment and underemployment (lack of inclusive development)
- ❑ ***Some are due to administrative failure like:***
 - Inequitable growth.
 - Widening gap between haves and have-nots.
 - Governance deficit.
 - Failure to curtail organized crimes.
- ❑ ***Due to partisan politics:***
 - Increasing communal divide.
 - Increasing caste awareness and caste tension.
 - Politics based on the sectarian, ethnic, linguistic etc.
 - Growing regional aspirations and government's failure to fulfill it.
 - Secessionist movement in Nagaland and Jammu and Kashmir
- ❑ ***Geographical factor***
 - Living in isolation.
 - Very tough terrain near the borders
- ❑ ***Governance deficit:***
 - Poor criminal justice system
 - Large scale corruption
 - Nexus between the criminals, police and politician in organised crime.
 - Lack of development.

Each factor mentioned above are ***exploited by the nefarious actor time*** and again to create instability in the country. The hostile neighbours leave no opportunity to make their vision as true.

Internal Security Doctrine:

A national security doctrine ***helps the state to identify and prioritize that country's geopolitical interests***. India does not have any such 'doctrine' so far.

Need of Internal Security Doctrine:

India has seen crisis after crisis resulting from militancy, insurgency, terrorist attacks, unsettled border disputes, etc. For Example, Terrorist attack on Pathankot airbase (2016), 26/11 Mumbai blasts etc. opacity in working of different intelligence agencies. To fill the gap in existing system, need of the hour is standard operating procedure i.e. internal security doctrine.

Internal Security Doctrine Should include:

- ❑ Political
- ❑ Socio-Economic
- ❑ Governance
- ❑ Police and Security forces
- ❑ Centre-state coordination
- ❑ Intelligence
- ❑ Border management
- ❑ Cyber Security

Classification Internal security threats:

A state can be at risk from four threats:

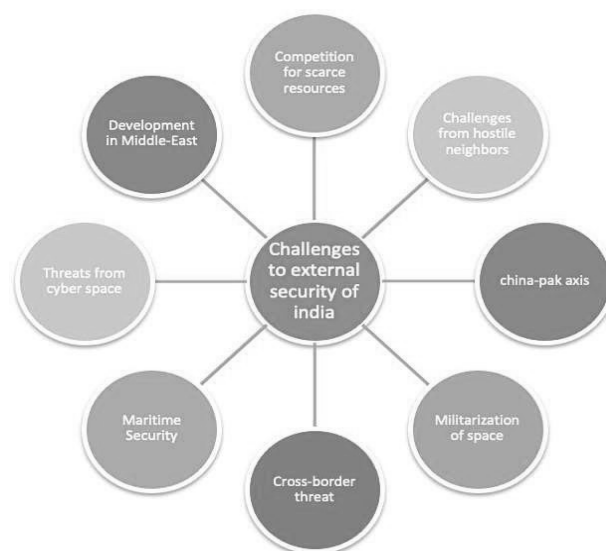
- 1 Internal
 2. Externally-aided internal
 3. External
 4. Internal-aided external
- ❑ India's internal security threat perceptions are a ***mix of all four threats*** mentioned above.
 - ❑ In era of ***information and digital age security threats*** (internal and external), are ***interrelated*** and cannot be seen in isolation from each other. So, changing external environment also impact the internal security of country i.e. In Myanmar, persecution of Rohingyas created a new problem in internal security front of country.
 - ❑ Internal security problems have started affecting the growth and development of our country.

Measures to internal security challenges:

- ❑ **Police is generally the first agency to respond** to internal security challenges. Impending police reforms (Prakash Singh judgment of SC) should be implemented to strengthen policing.
- ❑ The **absence of a central institution** to tackle terrorism has resulted in a fragmented approach to terrorism. Therefore, a **central anti-terrorism agency**, NCTC, should be established.
- ❑ **Synergy** between **law enforcement, legal and judicial systems** is essential. The **prosecution** of the perpetrators of terrorist acts needs to be **expedited**.
- ❑ **Military pressure** alone cannot resolve matters unless there is good governance, with a strong thrust on socio- political and **socio-economic** issues.
- ❑ **Perception management** has been the weakest link in India's fighting against internal security problems. **Counter narratives to the propaganda** of the terrorists and insurgents should be developed. For example, Government is introducing courses on **scientific interpretations of religious texts** in Madrassas.
- ❑ **Implementation of Make in India**, National Manufacturing Policy, reviving textile MSMEs, improving ease of doing business etc will generate much-needed jobs in India.
- ❑ In the Northeast, the **Assam Rifles** had been raised primarily for deployment in that area and comprised **personnel from that region**. Its composition was eventually changed to that of an all-India force which lead to loss of rapport.
- ❑ **Internal funding sources for terrorists**, money laundering, cyber thefts should be checked by the coordination of NIA, NATGRID and IB.
- ❑ **Terrorism has global dimension** and effective cooperation should be secured with other nations to tackle it.
- ❑ Effective **border management** through **ICPs, fences, regular visits of leaders** in bordering areas is needed to curb insurgency in internal pockets.

- ❑ **Implementation of National cyber security policy 2013** will reduce vulnerability of core infrastructure and secure banking, government and military communications.
- ❑ Considering the length of India's borders, the **border forces** will always **remain inadequate**. They have to be **supplemented with Home and Hearth** units or village guards of the kind employed in Arunachal Pradesh. These Home and Hearth units, **staffed with as many local ex-servicemen** as possible, can be raised wherever border holding forces are thin on the ground.

Major issues with India's External Security:



Govt Initiatives:

1. **NATGRID:** The formation of an **intelligence database** designed to consolidate and make searchable data gathered by existing security and law enforcement agencies, will prove to be a vital link in India's intelligence infrastructure.
2. **CCTNS:** The Crime and Criminal Tracking Networks and System (CCTNS) is an initiative of the MHA, to facilitate storage, transfer and sharing of data and information between police stations.
3. **CERT-In:** It is responsible for protection of **cyber systems** and it provides specific steps and countermeasures to patch the existing vulnerabilities and strengthen the security of these websites.

4. **SAMADHAN:** On the *Naxal front*, the Conference of Chief Ministers of the affected states held in Delhi came up with a new formula of SAMADHAN to tackle the problem.
 - ❑ **Reduce ethnic and social inequalities, disparities** in educational and employment opportunities.
 - ❑ Establish **effective Public Grievance Redressal System** in conflict affected areas. Timely resolution of genuine problems of people will reduce further conflicts.
 - ❑ **Improve the delivery of essential goods and services** in conflict affected areas. A dedicated supply mechanism can be established to bridge the gap between government and people.
 - ❑ **Focusing on economic development** of these areas. Developing basic infrastructure like rail, road, communication lines, water infrastructure, housing etc. will help to generate employment and win the hearts of the people.
 - ❑ A **mechanism can be established to bring coordination among all central and state security forces** dealing with the issues. This will help to deal with the problems more effectively and reduce duplication of work and loss of resources.
 - ❑ **States should form composite force** on the lines of NSG where internal security problems are worse.
 - ❑ **National Security Council and Cabinet Committee on Security** should have a proactive policy which will prevent internal security threats before it gets originated.
 - ❑ Government needs to **empower Narcotics Control Bureau** given the country's close proximity with drug producing areas like **Golden Crescent on the West and Golden Triangle on the East**.
 - ❑ Government has enacted number of laws to prevent financial crimes. But left wing extremism is still mobilizing large sums of money. Government needs to find out the sources of these groups so that government can take proper actions.

In today's context of a nation state, the challenge lies in changing the long-term concept of national security, which we need to understand

in a **comprehensive** sense rather than in narrow military terms only. In the absence of the feeling of '**Nation First**' in the heart of each and every citizen, we would not succeed in attaining freedom from the internal security threats.

Pandemic (Covid-19) and National Security:

A pandemic in the form of **Covid-19** has **caused large scale loss of life and disturbed livelihoods** all across the world. The magnitude of damage that it has caused has **sparked a debate** regarding whether epidemics should be treated as a national security problem.

How do Pandemic threaten National Security?

- ❑ **Can trigger a violent conflict:** Pandemic may contribute to societal destabilization and in extreme cases it may accelerate the processes that lead to state failure which threatens national security. Various examples of AIDS triggered violence can be seen in Sub-Saharan Africa.
- ❑ **Biological weapons:** Biological agents including epidemic diseases can be weapons of war and thereby directly and immediately threaten security. Combatants may deliberately target public health and spread disease to weaken and demoralize an enemy population.

Is India treating Covid-19 as a National Security threat?

The national security matters in India are dealt by National Security Act of 1980. But Covid-19 is being legally dealt by two laws namely the Epidemic Diseases Act, 1897, and the Disaster Management Act, 2005. In that sense, Covid-19 is not being treated as National Security threat in legal terms as of now.

- ❑ **Affect bilateral relations:** Outbreaks may prompt disputes among states over appropriate policy responses in a number of areas, including freedom of movement for people and goods. For example, disputes arising during the MERS outbreak between India and countries in the Middle-east regarding Indian diaspora.
- ❑ **Human security:** The idea that human security is part of national security directly makes epidemics a threat to nation by

threatening its people. For instance, by this approach tuberculosis is a national security threat to India because it threatens health of citizens of this country.

Advantages of viewing epidemics/pandemics as National Security threat:

- ❑ **Higher priority:** Associating health policy commitments with security can elevate the level of priority given to an issue and deliver results. Also, it would **make available more resources** to health emergencies via national security channel.
- ❑ **Better institutional organization:** A national security problem is more likely to have a well-defined and streamlined institutional apparatus which in turn could generate a more coordinated and accelerated response.
- ❑ **Increased global commitment:** Viewing epidemics as a security issue may encourage a deepening of commitment by countries to international cooperation and preparedness.

Challenges in looking at an epidemic/pandemics through security prism:

- ❑ **Risk of mislabelling everything as security threat:** If everything that causes a decline in human well-being is labelled a security threat, the term loses any analytical usefulness.
- ❑ **This approach relieves developed states:** Viewing epidemics as part of national security relieves states without major public health threats of any moral obligation to respond to health crises of monumental proportions in the developing world. Currently, this is more seen in the perspective of humanitarian aid.
- ❑ **Deter regional cooperation:** Issues of National security see relatively lower level of cooperation among neighbouring countries. This could directly impede much needed cooperation.

Way forward:

In a nutshell, global pandemics threaten state security in three ways– domestically, economically and militarily. Going forward, while there are valid arguments both for and against treating epidemics as a national security issue, following may also be seen as an alternative:

1.	Viewing it as foreign policy issue rather than national security concern:	<i>It may be more fruitful to view disease and health issues as concerns for foreign policy deserving of multilateral responses, rather than as security threats requiring bilateral policy responses.</i>
2.	<i>Independent institutional mechanism:</i>	Security labels provide health emergencies with resources; the same human and financial resources could be garnered if an independent institutional mechanism for health emergencies can be created.

Artificial Intelligence and National Security

Artificial Intelligence is an emerging technology that facilitates intelligence and human capabilities of sense, comprehend, and act with the use of machines.

How use of AI is affecting National Security?

- ❑ **Changing nature of security:** The traditional elements of security are rapidly expanding with technological developments leading to creation of newer challenges which are AI dependent.
 - **Rise in frequency and cost of cybersecurity threats:** AI enabled tools have the potential to increase the defensive capabilities of security systems.
 - **Security is growing more complex:** Growth of continuous real-time connectivity, mobile platforms and Internet of Things (IoTs) in conjunction with Cyber-Physical systems has made the security landscape more complex.
- ❑ **Higher accessibility of AI based tools:** Earlier, the tools and technologies which had security implications like nuclear technology were by and large protected. This ensured that only limited actors had access to such technologies. But same cannot be said for AI because:
 - **Dual-use nature of AI applications:** Many AI applications are dual-use, meaning they have both military and civil applications. This makes **controlling the flow of such technologies extremely difficult.**

- Absence of global coalitions for AI based tools on lines of Wassenaar Arrangement or Missile Technology Control Regime (MTCR).
- **Unavoidable presence of AI:** Artificial intelligence is now touching upon aspects of human life not only in economic domain but also in social domain.
 - **Integration of AI into a product may not be immediately recognizable** i.e. it may not alter the physical structure of a system, but incorporation of AI, changes the overall functioning of the system. For example, it would be very difficult to decipher if a **drone is being controlled remotely or with an AI based system.**

Opportunities AI can create vis-à-vis National Security:

- **Increasing real-time intelligence:** AI is expected to be particularly useful in intelligence due to the **large data sets** available for analysis. Large scale structured data combined with the available computational power can generate **significant actionable intelligence.**
- **Creating autonomous and semi-autonomous systems:** These systems collectively increase the geographical reach of the military operations. For example, autonomous systems can be employed to further increase border security without endangering the lives of soldiers.
- **Logistical ability:** AI may have future utility in the field of **military logistics.** For instance, it can ensure continuous observation of border infrastructure and provide intelligent inputs with respect to need for repairs.
- **Cyber operations:** AI is likely to be a key technology in advancing military cyber operations both in offensive and defensive capacity.
- **Replacing humans in 'dull, dangerous or dirty' work:** Depending on the task, autonomous systems are capable of augmenting or replacing humans, freeing them up for more complex and cognitively demanding work. For example, AI can be used in conducting **long-duration intelligence collection and analysis** or cleaning up environments contaminated by chemical weapons.

In **2018**, government constituted a **task force under Natarajan Chandrasekharan** comprising representatives from the government, services, academia, industry, professionals and start-ups **to prepare a road map for Artificial Intelligence for national security purposes.**

Potential challenges in adoption of AI for National Security:

- **Absence of clarity on 'what is AI' and 'what we intend to do' among policymakers:** There is a limited understanding of key questions like- What kind of AI do we want? How much autonomy should be given to the machines on the battlefield? Etc.
- **Development of Ethical Standards:** Use of AI in Defense would raise a large number of ethical questions like- Who holds the accountability in case AI does not perform as predicted? How can AI be integrated with current protocols followed in the forces? How far AI can be trusted for the protection of the country? Development of these ethical standards is a prerequisite for adoption of AI for National Security.
- **Theft vulnerability:** AI systems are particularly vulnerable to theft by virtue of being almost entirely software based.
- **Technology cannot be completely controlled:** Using AI systems can significantly increase the scale and speed at which military operations are conducted. If the pace of operations exceeds human ability to understand and control events, that could **increase a system's destructive potential in the event of a loss of system control.**
- Other issues like **limited role of private sector in defense** and **lack of critical infrastructure.**

Possible solutions to overcome above challenges:

- **Vision document on AI:** India should envisage a clear strategic vision regarding the AI. Having a Vision document provides clarity to policymakers as well as the defense establishments regarding capabilities and envisaged outcomes.
- **Creation of a supportive ecosystem:** Along with a clear policy, there is a dire need to **invest in critical infrastructure** so that the data servers lie within the territory.

- ❑ **International cooperation:** To ensure that India is at par with other countries with regard to adoption of AI in National Security, various efforts like joint development, technology sharing, encouraging development of global policy and standardization could be done.
- ❑ **Tapping the civilian innovation ecosystem:** The AI-market for civilian purposes in the country is on the rise. For instance, India ranks third in G20 countries in AI-based startups. Policymakers could tap this potential for the defense sector.
- ❑ **Balancing adoption and innovation:** Since India is a late entrant in the field vis-à-vis powers like China and US, it could capitalize on the late-movers advantage, i.e., **mimicking the existing narrow-AI technologies**, to fulfil its basic security needs (like border patrols and intel-gathering) alongside **innovating over and above the existing technologies**.

Hybrid Warfare: Emerging threat

Recently, a **Chinese data company-Zhenhua** has harvested information on millions of people, allegedly on behalf of Beijing's intelligence services, possibly engaging in **early stages of 'hybrid warfare'**.

Meaning of Hybrid Warfare:

Approach. These methods aim to **disrupt and disable an opponent's actions without engaging in open Hostilities**. Following can be cited as its general characteristics:

- ❑ The methods adopted by it are a combination of activities, including **disinformation, economic manipulation, use of proxies and insurgencies, diplomatic pressure and military actions**. For example, Russia's use of gas and lending instruments in the Ukrainian conflict.
- ❑ It tends to **target areas which are highly vulnerable** and where maximum damage can be caused with minimum effort.
- ❑ It **usually involves non-state actors** indulging in subversive roles supported by states in order to give the latter some plausible deniability.

- ❑ **Other examples** closer to the idea of hybrid warfare are Iran's activity in Syria and ISIL's activities in Syria and Iraq.

Reasons for resorting to Hybrid Warfare by state and non-state actors:

- ❑ Hybrid warfare uses a wider set of military, political, economic, civilian and informational instruments which are usually **overlooked in traditional threat assessments**.
- ❑ It **targets vulnerabilities across societies** in ways that we do not usually think about.
- ❑ It **synchronizes attacks** in novel ways. For example, an urban gathering can experience a simultaneous cyber-attack and a **'lone-wolf' attack**, which if synchronized could cause large scale damage to life and property.
- ❑ It can be **tailored** according to the circumstances to **stay below certain detection and response thresholds**, including international legal thresholds, thus hampering the decision-making process and **making it harder to react to such attacks**.
- ❑ A hybrid warfare campaign **may not be discovered until it is already well underway**, with damaging effects having already begun degrading a target's capability to defend itself. For example, 2008 Mumbai attacks and a **series of 'lone wolf' attacks in Europe** were only discovered when they started happening.

'Lone Wolf' Attacks

These attacks involve threat or use of violence by a **single perpetrator** (or a small cell). A lone wolf acts **without any direct support** of any other group or other individual in the **planning, preparation and execution** of the attack. Ranging from threatening and intimidating people to **indiscriminate shootings, vehicle ramming, stabbing and suicide bombings**, lone wolf terror attacks have become a grave threat.

Reasons for targeting the urban spaces for Hybrid Warfare:

- ❑ Urban spaces due to their **large populations and economic vibrancy** provide ample opportunity for terrorists and non-state actors to sneak in and **inflict large scale damage to terrorize populations** through **"shock and awe" tactics**.
- ❑ **Traditional armed forces are ill-trained and equipped to fight in crowded urban areas** with large civilian populations.

- ❑ Conventional warfare demand direct and complete engagement with the adversary. Hybrid Warfare uses proxies as indirect tools creating a scenario of limited warfare.

How Hybrid Warfare and Hybrid Threats are potential issues for India?

India has been at the receiving end of variants of Hybrid Warfare. Firstly, from Pakistan in the form of state sponsored terrorism and the other through cyber-threats from China akin to the one associated with **Zhenhua**. But increasing inclination towards Hybrid Warfare from both state and non-state actors can lead to following issues:

- ❑ **New forms of terrorist attacks:** The idea of Hybrid Warfare encourages new forms of terrorist attacks such as **'lone-wolf' attacks** and creation of **'sleeper cells'**.
- ❑ **Cyber-attacks:** An adversary can pressure the government to concede to its demands by threatening devastating cyber-attacks aimed at the civilian population. Examples include attacks on networks governing hospitals or electricity and water supplies.
- ❑ **Interference in electoral processes:** Use of techniques from campaigning through the media and social networks to securing financial resources for a political group may indirectly influence the outcome of an election in a direction that favors the adversary's political interests.
- ❑ **Disinformation and fake news:** An adversary can create a parallel reality and use falsehoods to **fuel social fragmentation**. The idea behind this is to disorient the public and make it difficult for a government to seek public approval for a given policy or operation.
- ❑ **Financial influence:** An adversary **can make investments, conclude unfavorable energy-supply deals, or offer loans that make a country vulnerable in the long run to political pressure**. For example, the recent steps by Chinese companies to aggressively acquire Indian companies through FDI route in the background of **COVID-19** could fall under this category.

Possible solution to combat Hybrid Warfare:

Hybrid Warfare is a multi-pronged warfare methodology, thus, to effectively negate it, the response should also be holistic in nature:

- ❑ **Institutional measures:** to keep vulnerabilities in check and estimate possible hybrid threats.
 - **Conduct a self-assessment** of critical functions and vulnerabilities across all sectors and ensure regular maintenance. For example, regularly **upgrading critical Fintech systems** in the country.
 - **Enhance traditional threat assessment activity** to include non-conventional political, economic, civil, international (PECI) tools and capabilities.
 - **Creation of multinational frameworks-** preferably using existing institutions and processes– in order to facilitate cooperation and collaboration across borders.
- ❑ **Training of armed forces:** as in hybrid warfare, armed forces have a **dual role** of protecting civilian population and disabling enemy. Following techniques can be adopted:
 - Training in **special battle techniques**, as well as conditioning to overcome **urban combat stress**.
 - Training in use of **technological tools** such as smart robots, Unmanned Aerial Vehicles (UAVs)
 - **Intelligence tools** like **Real Time Situational Awareness (RTSA)** for precise operations.
- ❑ **Strengthening the democratic institutions:** enables government to gain trust of its citizens. This helps government negate various forms of hybrid warfare such as disinformation and radicalization.
 - **Inclusion of Civil Society Institutions** such as think tanks multiply the government's capabilities to counter such threats.
 - **Investing in Journalism to raise media literacy:** Global research shows that **70 percent** of uses of the term "hybrid threats" by the media are inaccurate. As a result, investing in journalism will indirectly help citizens in understanding the threat.

Previous Year Mains Questions (GS3-CSM):

1. How far are India's internal security challenges linked with border management particularly in view of the long porous borders with most countries of South Asia and Myanmar?– **CSM 2013**
2. China and Pakistan have entered into an agreement for development of an economic corridor. What threat does this pose for India's security? Critically examine.– **CSM 2014**
3. International civil aviation laws provide all countries complete and exclusive sovereignty over the airspace above their territory. What do you understand by 'airspace' What are the implications of these laws on the space above this airspace? Discuss the challenges which this poses and suggest ways to contain the threat.– **CSM 2014**
4. Religious indoctrination via digital media has resulted in Indian youth joining the ISIS. What are ISIS and its mission? How can ISIS be dangerous for the internal security of our country?– **CSM 2015**
5. Mob violence is emerging as a serious law and order problem in India. By giving suitable examples, analyse the causes and consequences of such violence.– **CSM 2016**
6. The China Pakistan Economic Corridor (CPEC) is viewed as a cardinal subset of China's larger 'One Belt One Road' initiative. Give a brief description of CPEC and enumerate the reasons why India has distanced itself from the same.– **CSM 2018**
7. The banning of 'Jammat-e-Islami' in Jammu and Kashmir brought into focus the role of over-ground workers (OGWs) in assisting terrorist organizations. Examine the role played by OGWs in assisting terrorist organizations in insurgency affected areas. Discuss measures to neutralize influence of OGWs.– **CSM 2019**

Communal Violence

Communalism can be defined as ***allegiance to one's own ethnic or religious group than to the wider society.***

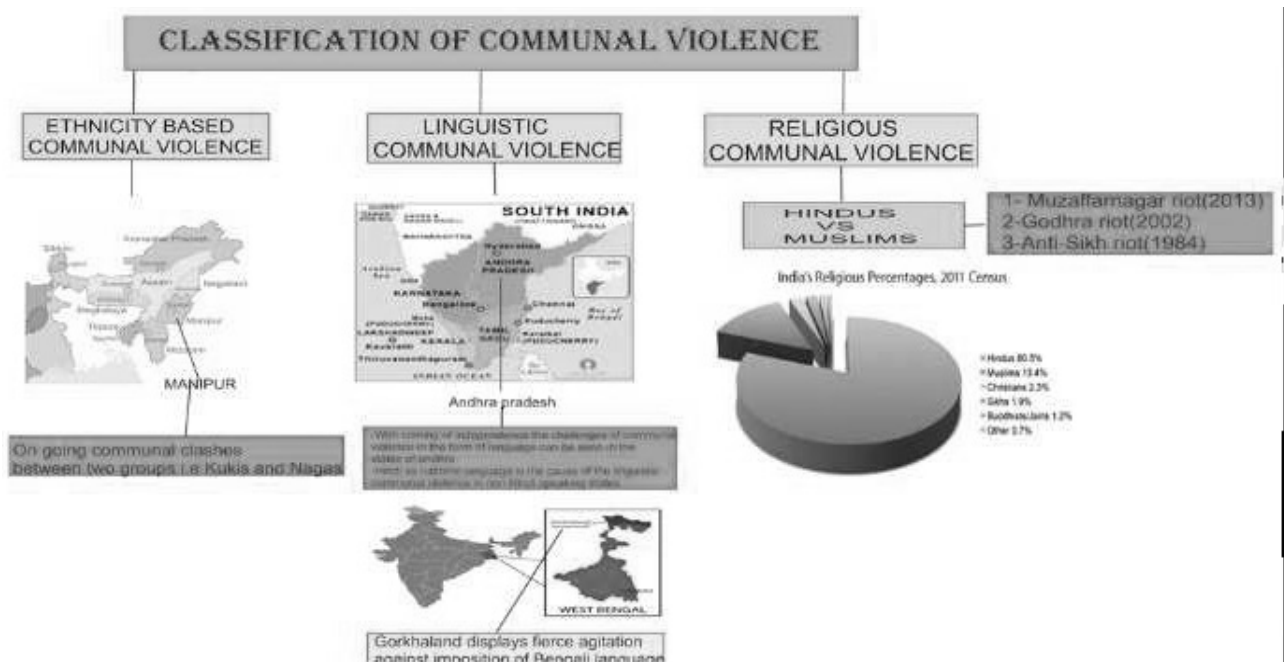
Or

As the ***second ARC observed*** communalism ***implies blind allegiance to one's own communal group***—Religious, Ethnic, or linguistic rather than society as large or nation as a whole. In its extreme form, it manifests in the form of hatred and hostility.

Vulnerability of India Towards Communal Violence

- ❑ India is a multi-Religious, Multi-Ethnic, and Multi-Cultural Pluralist society. This is inherently having tension towards each other.
- ❑ Caste based politics and vote bank politics
- ❑ Religious animosity
- ❑ Criminalisation of politics
- ❑ Increasing caste awareness and caste tensions

- ❑ Poverty and unemployment
- ❑ Failure on administrative fronts or governance deficit
- ❑ Inequitable and non-inclusive growth trajectory
- ❑ Widening gap between haves and have not.

**CLASSIFICATION OF COMMUNAL VIOLENCE**

Constitutional Provisions and Communalism

Preamble	Preamble of the Indian Constitution declares it as a secular state and secures the liberty of thought expression, belief faith, and worship.
Article 25	"All persons are equally entitled to freedom of conscience and the right to freely profess, practice, and propagate religion subject to public order, morality and health."
Article 26	Says that all denominations can manage their own affairs in matters of religion.
Article 29	Mandates that no discrimination would be done on the ground of religion, race, caste, language, or any of them.
Article 30	Mandates that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.
Fundamental duty– Art 51A	<ul style="list-style-type: none"> Promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities and to renounce practices derogatory to the dignity of women. To value and preserve the rich heritage of the country's composite culture;

Legal Provisions

- ❑ Various provisions of **Indian penal code** which deals with the issues of communalism in the country, like **section 153A, 153B** etc.
- ❑ **Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005** must be enacted soon.
- ❑ **Manipur** government came up first with its Law against lynching in 2018.

Factors Responsible For Communal Violence:

- ❑ **Historical factors:** British Rule and Rule of rulers like Aurangzeb had discouraged the harmonious association and peaceful co-existence. Two nation theory and partition of the country on the basis of religion made people more conscious about religion. British policy of divide and rule accompanied by communal electorate by **Gol act 1909, 1919, 1935**.



- ❑ **Socio-economic Factors:** Society is backward and lack of opportunity and a feeling of deprivation has sown the seed of communalism.
- ❑ **Educational Factors:** Lack of modern education so most Indians are reluctant to adopt ideas like liberalism and progressive values.
- ❑ Conflicting and incompatible religious ideologies
- ❑ Hostility and apathy against other community
- ❑ **Psychological Factors:** Years-long grudges and feelings of resentment amongst the communities. This leads to the Fear of psychosis among the minority.
- ❑ **Cultural Factors:** Feeling under the members of the Muslim and Hindu communities that they are a distinct entity with their own cultural pattern, thought process, and personnel laws.
- ❑ **Identity crisis:** There is a general feeling that orthodox Hindus and Muslims have a problem with the secular character of the

Indian state. Instead few orthodox wanted India to be a Hindu nation.

- ❑ **Political factors:** Intermixing of religion and the politics i.e. religion based vote bank politics. Poor criminal justice system and large scale corruption leading to nexus between police, politician and criminal which results into organised crime.
- ❑ **Inciting speech** by the political leader to garner the support of one religious group.
- ❑ **Financial and ideological support** for orthodox and divisive elements of society.
- ❑ **Demographic factors:** In a certain part of the Country Demographic changes created an opportunity for manipulation of communal sentiments i.e. in Assam, West Bengal, and the Kashmir valley.
- ❑ **International influences:** Pan-Islamic movements have also been mobilizing anti-India Jihad sentiments in the country.
- ❑ **The ISI factor:** communal sentiments in the country is also promoted by these radical groups which try to polarise the country on the basis of religious fundamentals.
- ❑ **Social media factors:** The presence of orthodox groups over social media platforms spread rumors, disinformation, hate speech, and fanning violence.
- ❑ **Lack of proper action:** Punishment mechanism is not up to the mark which provides more opportunity for the trouble creator.

Immediate Causes for Riots

- ❑ **Gender offences:** Members of one religious community alleged for gender violence against the women of other community offences like rape sexual harassment and other issues like love jihad were also disturbing social fabric.



- ❑ **Religious festival:** During the celebration of the festival communal tension and disputes arise between the two communities like the celebration of Holi or Muharram.
- ❑ **Land disputes:** Among the various religious groups in the country over the ownership of land.
- ❑ **Governance issues:** Over the years various commissions had found following shortcomings:
 - The ineffective conflict resolution mechanism.
 - Timely action and accountability of an officer are missing.
 - Missing intelligence about the situation.
 - Missing standard operating procedure (SOP) in case of communal violence.
 - Lack of personnel to deal with communal tension or communal violence missing training of expertise in communal matters.
- ❑ **Administrative issues:** The slow reaction of police and administration after initial symptoms of communal violence. Sometimes police and administration act in partisan manner. Failure of leadership and link of administration with the general public is also weak.
- ❑ **Post-riot Management deficiencies:**
 - Issues with rehabilitation which often neglected breeding resentments and anger.
 - Missing accountability of the official who is involved in the process of rehabilitation.

Fake News and Communal Violence:



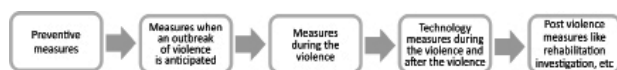
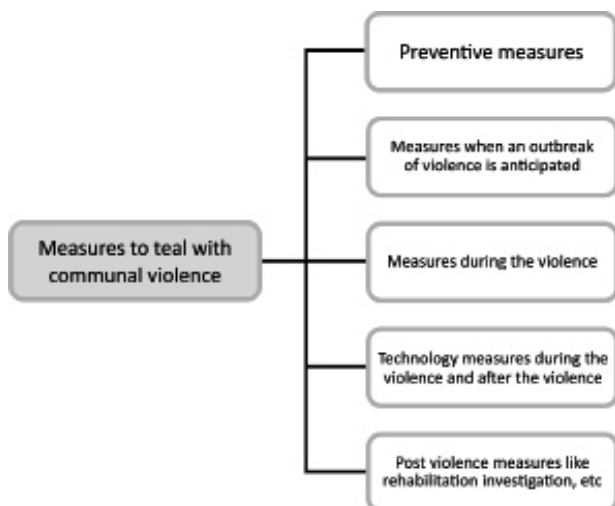
- ❑ Circulation of fake news over social media platforms disturbs social peace and also creates hostility of a community towards the organs of government. Fake videos and its circulation sometimes cause the mob lynching and violence.

Mob lynching:

- ❑ Mob lynching is a **form of violence** in which a mob under the pretext of administering justice without trial, executes a presumed offender, by the means of torture, and sometimes it results in the death. The term lynch, the law refers to a self-constituted court that imposes sentence on a person without due process of law. Mob lynching is **crime against humanity and constitutional values**.
- ❑ The **Manipur** government came up first with its **Law against lynching in 2018**.
- ❑ The Manipur Law is in sync with the Supreme Court guidelines.

Measures to Deal with Communal Violence:

These measures can be classified under Five broad category:



Citizen oriented measures:

- ❑ **Feeling the mistrust among the different religious groups:**
 - The feeling of nationalism needs to inculcate in the minds of people by making them aware of how all religious groups fought together to make this country free.
- ❑ **Peace committee:**
 - There shall be a peace committee in every area. This should be secular in nature and its meeting should take place regularly. The district administration should engage actively with the peace committee.
- ❑ **Community policing:**
 - Community policing is a kind of policing in which **police and citizens act as a partner** in ensuring peace in the area.
 - Community policing is **more associated with ground activity** so they provide better input and help during the communal tension. some of the examples are Friends of police and Nenu-Saitham program.
- ❑ **Imparting liberal values:**
 - The education system should **impart liberal values to the students** so that tolerance and general liberal values on important occasions should be imparted in society, boosting unity.

Administrative measures:

- ❑ **Planning and profiling of the areas:**
 - **Demographic profile** of the area and marking the area on the basis of the historical record of disputes, clashes, and riots, etc
- ❑ **A crisis management plan if the conflict:**
 - A fixed set of instructions which can be followed to tackle the conflict.
 - A special officer can be appointed in every district of the country.

❑ *Intelligence and police:*

- Intelligence mechanisms should be **sound enough to pretend the communal violence** before they happen every district can have these intelligence units which collect the data related to the communal violence and try to map these events to prevent the future violence.
- **Sensitize police towards feelings of minorities-** Generally, the minority communities feel that police is biased so, trust-building is need of the hour
- **Special training to the police force** which is working in an area which is sensitive to communal violence.

Manpower shortage issue in the police: In India, the **number of policemen per lakh of people is only 130 and the recommendation of the United Nation is 220 per lakh.**

Management of religious affairs:

❑ *Code of conduct for the religious festival:*

- Generally, communal violence arises in-country during the celebration of these religious festivals, so special requirements should be made during the celebration of festivals.

❑ *Protecting the places of worship:*

- No harm to the places of worship during communal violence should be ensured. The premises should be provided with special security arrangements.
- The unauthorized construction on the land of worship should be dealt with strictly legal provisions.
- Also, the administration and government should ensure that these religious places are not misused by the nefarious element of society.

Measures when an outbreak of violence is anticipated:

- ❑ Preventive arrest under the **CrPc sections of 151** along with the deployment of central forces which has a specialty in the outbreak of Riots.
- ❑ The imposition of **section 144** of the Indian penal code.
- ❑ **Deployment of police** in other sensitive areas of the state.

Measures during the violence:

- ❑ The **use of force in order to suppress the violence** and situation should be brought under control.
- ❑ **Guidelines and standard operating procedure** should be brought in quick enforcement so that damage could be minimized
- ❑ **Effective utilization of central forces** and calling them in time by the state authority.
- ❑ **Putting a standby team** in order when the situation is worse.
- ❑ **Media depicting the live death** of people should be **banned immediately**.
- ❑ The officer deployed should have **knowledge of local prospects**.

Technology measures during the violence and after the violence:

- ❑ **Proper checks and balances on social media:** Methods should be developed through which the hate speech and Rumours propagation can be stopped and during the Riot guidelines for social media giants like WhatsApp and Facebook should be issued.
- ❑ **Use social media to create a positive environment** in the society and circulate the information which creates an environment for peace.

Post violence measures

❑ *Fast track court:*

- For providing quick justice to the victims and punishment to the guilty persons so, that an example can be set that if anyone evokes the communal violence then punishment is assured.

❑ *Enforcement action and Monitoring:*

- All the guidelines must be enforced in order to establish long-lasting peace. Constitution of the special investigation team for ensuring the fair and impartial investigation.
- Monitoring is also very important, so that these kinds of events can be stopped in the future.

□ ***Relief and Rehabilitation:***

- Relief and Rehabilitation work should be unbiased and do not discriminate between the religious groups.
- The benefit of schemes and other rehabilitation measures should reach to the victims.
- Interim relief may be provided immediately to the victims and essential goods and services should be provided timely to the individual of affected areas.

Also the ***recommendation of 2nd ARC*** that relief and rehabilitation of victims of communal violence under the ***Disaster Management act of 2005***, communal violence can also be ***viewed as a disaster***.

Conclusion:

Strong legal action along with the policy of zero tolerance towards the violence will bring down the communal hatred and impartial administration and police will assure the minority that they are safe. This will ensure long-lasting peace and development in the country.

Introduction:

- Extremism is the context of security *implies adoption of illegal and violent ways to propagate one's ideology.*

Extremists are motivated by different goals and objectives.

- It is somewhat surprising that despite terrorism being recognised as a global phenomenon, *attempts in the past for arriving at an internationally accepted definition of terrorism have proved futile.*

- According to some observers, this ambivalence is *primarily due to two reasons:*

1. *Firstly*, a 'terrorist' in one country may be viewed as a '*freedom fighter*' in another;
2. *Secondly*, it is known that *some States resort to or encourage various kinds of criminal acts*, clandestinely, through their own agencies or hired agents to subvert or to otherwise destabilize another lawfully established government or in extreme cases get important political or governmental personalities of another State assassinated.

- History is replete with instances of acts of this nature. Hence, there is an obvious *lack of political will*, if not resistance to any universally acceptable definition of terrorism.
- While *Member-States of the United Nations have not arrived at a consensus* regarding the definition of terrorism.

League of Nations Convention (1937): describes terrorism as "all criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public".

- *The definition of terrorism proposed by the Secretary General of the UN in September 2005 was accepted by France.* According to him, *terrorism is* "any act meant to injure or kill the civilians and the non-combatants, in order to intimidate a population, a government, or an organization and incite them to commit an act against the perpetrators or on the contrary stop them from doing so".

Position in India

- Terrorism as an offence *does not figure in the Indian Penal Code of 1860* as amended from time to time. In India, the first special law which attempted to define terrorism was the *Terrorist and Disruptive Activities (Prevention) Act, 1987*, which was followed by the *Prevention of Terrorism Act, 2002 (POTA)*. With the repeal of the latter in 2004, the *Unlawful Activities (Prevention) Act, 1967 was amended in 2019 to include the definition of a 'terrorist act'.*
- It is evident that while the *laws of some countries like the USA, Canada, the UK and Australia speak of the intention behind the terrorist act* being for the purpose of advancing a 'political, religious or ideological cause', the *Indian laws have avoided any such intention or purpose being incorporated to define or describe a terrorist act.*

Types of Terrorism

- *Depending on the objectives* of the group/ groups, the nature of terrorism also differs such as ethno-nationalist terrorism, religious terrorism, left-wing terrorism, right-wing terrorism, state sponsored terrorism, cyber terrorism, urban terrorism etc. The major types of terrorist operations commonly identified globally include:

Ethno-Nationalist Terrorism:	<ul style="list-style-type: none"> • Terrorism motivated by ethno-nationalist and separatist aspirations became prominent only after the Second World War and dominated the terrorist agenda around the world for more than 50 years until religious terrorism came to occupy the centre stage. • Ethnic terrorism can be defined, as deliberate violence by a subnational ethnic group to advance its cause. Such violence usually focuses either on the creation of a separate State or on the elevation of the status of one ethnic group over others. • Tamil Nationalist groups in Sri Lanka and insurgent groups in North East India are examples of ethnonationalist terrorist activities. 	
Religious Terrorism	<ul style="list-style-type: none"> • Present-day terrorist activities around the world are motivated largely by religious imperatives. • The practitioners of terrorism motivated either in whole or in part by a religious imperative consider violence as a divine duty or a sacramental act. • It embraces different means of legitimisation and justification compared to other terrorist groups, and these distinguishing factors make religious terrorism more destructive in nature. 	
Ideology Oriented Terrorism	(a) Left-wing Terrorism	Violence against the ruling elite mostly by the peasant class motivated by what are called leftist ideologies have occurred time and again in history. Leftist ideologies believe that all the existing social relations and state structures in the capitalist society are exploitative in character and a revolutionary change through violent means is essential. The Maoist groups in India and Nepal are the most easily identifiable groups closer home.
	(b) Right-wing Terrorism-	Right-wing groups generally seek to maintain the status-quo or to return to some past situation that they feel should have been conserved. Sometimes, groups espousing rightist ideologies might assume ethnic/racist character too. They may force the government to acquire a territory or to intervene to protect the rights of an 'oppressed' minority in a neighboring country.

Narco-terrorism	<ul style="list-style-type: none"> • Narco-terrorism has been defined by the Canadian Security Intelligence Service as 'the attempt by narcotics traffickers to influence the policies of the Government by systematic threat or use by violence'. • However, it is also possible to view narco-terrorism as a means of terrorism or at any rate as a means of funding terrorism. • As the term itself suggests, narco-terrorism combines two criminal activities; drug trafficking and terrorist violence. • Narcoterrorism is motivated mainly by economic reasons as it helps the terrorist organizations raise huge sums of money with minimum cost for their activities. • Islamist terrorist groups in India supported by the Pakistan ISI are reported to be active in drug trafficking along the Kashmir Valley and also in other parts of the country.
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In recent times, ***some countries have embraced terrorism as a deliberate instrument of foreign policy.*** One distinction of state sponsored terrorism from other forms of terrorist activity is that it is initiated to obtain certain clearly defined foreign policy objectives rather than grabbing media attention or targeting the potential audience.

Means of terrorism:

- ❑ ***Environmental Terrorism:*** Premeditated damage caused to the natural world. Example- During the Gulf War of 1991 when Saddam Hussein ordered the detonation of more than 1000 oil wells which engulfed Kuwait in smoke.
- ❑ Weapons of Mass Destruction
- ❑ Chemical Weapons
- ❑ Nuclear weapons
- ❑ Biological Weapons
- ❑ Cyber-terrorism

Suicide Terrorism: Jihadi terrorists took to suicide terrorism in the 1990's. In Kashmir, the first suicide attack by the Fedayeen was on July, 13 1991 on a Border Security Force Post.

1. ***Classification of Terrorism:*** Terrorism can be classified into two categories:
2. Terrorism by external state actors, and Terrorism by non-state actors.

1. Terrorism by External-State Actors:

- ***When any government directly or indirectly indulges in terrorism against its own people or the people***

of another country, it is referred to as terrorism by state actors.

- Also, terrorism against another country, whether in support of international terrorism or in order to destabilise that country, can be classified as **'external state sponsored terrorism'**.
- **Terrorism in Kashmir** is a direct manifestation of state policy of Pakistan and ISI influence, while **hinterland terrorism** by Indian Mujahideen or SIMI is indirectly supported by ISI and the state of Pakistan. Therefore, **Pakistan which is an external state actor is challenging India's internal security directly as well as indirectly.**
- Similarly, time and again **aspersions have been cast on the role of Bangladesh and Myanmar** as external state actors regarding terrorism in the North-east.
- **Support to terrorism can be by various means**, such as financial support to militant organisations, technical support, arms, training and infrastructural support, or ideological support.

2. **Terrorism by Non-State Actors:**

- In this case, the **act of terrorism is performed by an individual or a group which is not associated with or financed by any Government.**
- Non-state actors have **generally no direct or indirect link with any government or government agency** while pursuing their agenda, though indirect linkages cannot be completely ruled out. **Naxalites, LTTE and North-east extremists** are some examples of non-state actors.
- Many important terrorist groups such as Lashkar-e-Taiba (LeT) and Indian Mujahideen (IM) also claim to be non-state actors but have de facto support from Pakistan.
- The use of non-state actors is essentially the **employment of a proxy element**, which gives the state of Pakistan a degree of deniability. However, there is

no doubt that none of the so called 'non-state actors', like the LeT, could have operated with impunity without active funding, logistical and military support from Pakistan.

- The close linkages of the ISI and such groups are **well documented** as is their direct involvement in attacks like that of 26/11. These groups aim to not only create instability in states like Jammu and Kashmir, but also have a **larger aim of destabilising the country.**
- This is done through **sporadic terrorist strikes, which spread terror and panic.** This could also adversely affect the ability of the Indian state to pursue **economic modernisation.**
- The **flooding of the country with counterfeit currency** is also a way of weakening the economy. Therefore, some of the so called 'non-state' actors operating from Pakistan are the proxies of the state, functioning under a clear charter of state policy.

Modus Operandi and Motto of ISI (through so called Non-State Actors):

- ❑ To bleed India with a thousand cuts
- ❑ To destabilise Indian economy through fake currency and other means
- ❑ To supply arms and explosives to all kinds of militants in India
- ❑ To take advantage of anti-government groups operating within India and to provide financial, logistic and military support to such groups
- ❑ To spread and support Islamic fundamentalist activities
- ❑ To spread communal hatred and communal violence in India with the aim to divide and weaken the country.

Categorisation of Terrorism in India:

Terrorism in India can be broadly classified into four **major categories:**

1. Hinterland terrorism
2. Jammu and Kashmir militancy (Covered in separate chapter)

3. North-East insurgency (Covered in separate chapter)
4. Left-Wing extremism (Covered in separate chapter- Naxalism)

Growth Of Hinterland Terrorism:

Hinterland terrorism is the terrorism that is spread all across the hinterland of the country. Such terrorist acts have been taking place all over India without any specific reason. Yet, if we look back and analyse, there appears to be a sequential, well planned, well-motivated growth of terrorism in India.

1. After ***failing in two conventional wars against India***, especially post the humiliating defeat in 1971, ***Pakistan adopted the path of sub conventional war/proxy war*** by supporting terrorist activities in India since the last three decades with the motto of bleeding India with a thousand cuts.
2. The seeds of present terrorism were sown in the ***Khalistan movement in Punjab in the 1980s***. This proved to be the deadliest terrorist movement in India. It was to create a buffer sovereign state between J&K and rest of India.
3. After Punjab, Pakistan targeted Kashmir in the late '1980s' and tried to take advantage of anti-India separatist sentiments in a section of Kashmiri population, and it continues to do so, till date. Terrorism in Kashmir was basically operated by ***Pakistan occupied Kashmir (POK)*** based Islamist terrorist organisations created, trained, inspired and directed by ISI, like LeT, JEM, Hizbul Mujahideen, etc.
4. Meanwhile, ***SIMI was formed in Aligarh in 1977*** with its motive to liberate Indian Muslims from western influence and make them follow Islamic code of conduct. In the 1980s and 1990s, SIMI became a highly militant and extremist group and took a more radical posture. Therefore, it was ***banned under Unlawful Activities Prevention Act (UAPA) in 2001***.
5. The ***Ayodhya incidents of 1992 also saw the rise of reactionary terrorist activities*** all over India, especially in Mumbai (1993 Bombay serial blasts). This provided a big opportunity to ISI to carry forward its designs of spreading terrorism and communalism in India.
6. The 21st century saw the ***formation of Indian Mujahideen (IM) after the ban on SIMI***. It was to project to the outside world that terrorism in India was a purely indigenous development, arising out of ill-treatment of Muslims and not sponsored from across the border. ***Doctored videos of Gujarat riots*** were used by ISI to mobilise, recruit and radicalise the youth.
7. The ***ISI has always tried to take advantage of communal incidents*** like the ***Ayodhya issue*** and the ***Gujarat riots*** for inciting young Indian Muslims. The increasing efforts of ISI to exploit communal sentiments have ensured that the Muslim community remains vulnerable to mobilisation, recruitment and radicalisation. In recent times, there were reports of Lashkar-e-Taiba recruiting young Muslims in riot affected ***Muzaffarnagar district***.
8. We saw ***reactionary right-wing extremist activities in 2006-07 in the form of bomb blasts in Malegaon, Mecca Masjid, Hyderabad, Ajmer Sharif and Samjhauta Express***. Initially, investigating agencies of various state police had allegedly implicated innocent Muslim youth in these cases. This resulted in heavy resentment in Muslims and gave another boost to radicalisation of Muslim Youth by ISI, LeT, SIMI and IM etc.
9. The ***Harkat-ul-Jihad-al-Islami (HUJI) of Bangladesh*** was also found to be involved in many terrorist attacks in India.

Hinterland terrorism is also sometimes assisted by neighbouring countries through the borders; hence it can be ***referred to as trans-national terrorism***, given its obvious inability to take on India in a conventional war. Terrorists are provided training, infrastructure and weapons in Pakistan and then infiltrated into India through LoC or through Nepal.

Khalistan Movement:

- The ***1980s and early 90s*** witnessed a very intense ***Pro-Khalistan movement backed by ISI***. Recently, we saw a manifest attempt by Sikh extremist groups residing

in **Canada** and the **US** to revive the demand for Khalistan and of self-determination for Sikhs. They have the backing of sections of the Sikh community in the UK as well. As a result, a fresh wave of Sikh radicalisation is beginning to be seen in quite a few Western nations.

- ❑ A **Pro-Khalistan rally was organised in London**, sponsored by a body styling itself as '**Sikhs for Justice**' based in the US. It has the **backing of the UK-based Khalistan Sikh Federation** and the **Dal Khalsa**. It is the clearest sign yet of the resurgence of pro-Khalistan sentiments. A revitalised movement for a separate Sikh state can cause problems within India, sooner rather than later.
- ❑ Even the **Home Ministry** informed the Parliament that Pakistan's ISI was providing moral and financial support to Pro Khalistan movement for Anti India activities as well as to revive militancy in Punjab.
- ❑ Security agencies say the **KLF (Khalistan Liberation Force)**, an extremist organisation active in the 1980s, was revived in 2009 in Malaysia under pressure from ISI.
- ❑ The NIA said the main objective of the KLF is to **"liberate the so-called Khalistan"**. Founded by **Aroor Singh** in 1986, the outfit had been active in promoting secessionist activities till 1994.
- ❑ The leadership of the KLF believes that they can revive the Khalistan movement by targeting members of specific communities so as to polarise the society of Punjab on communal lines. Organisations and persons, who oppose the ideology of **Jarnail Singh Bhindranwale**, are their prime targets for elimination. **KLF has been banned and brought in the First Schedule of UAPA in 2018.**

Referendum 2020

The Sikh Community led by US-based "**Sikh for justice**" has called for the Global Sikh Community in more than 20 countries to unite and call for a **referendum 2020** which would **demand for the separation of Punjab from India and want to establish Punjab as a separate country**. They have started this referendum for reviving the Khalistan Movement and plan to move to UN and also to other world powers for their cause.

Reasons For Spread Of Terrorism:

- ❑ More technology available to conduct acts of terror
- ❑ Targets of terrorism are more widespread than ever before.
- ❑ Sophisticated means of communication (electronic media, print media, social media, internet) helped terrorists to quickly promote their ideology and hate campaign
- ❑ Intolerance in society due to increasing population and decreasing resources
- ❑ Increasing globalisation of the society
- ❑ International recognition and support to terrorist groups
- ❑ Links between terrorism and organised crime to earn easy money

India faces different types of internal security threats. The groups involved raise funds from different sources, ranging from state sponsorship to fake currencies, to extortion and taxation, crime and smuggling, amongst others. Some cases are given below.

ISI Sponsored Terrorism:

- ❑ The **militancy in J&K presents a classic case of state-sponsored and financed terrorism**. The ISI employs state and private resources, like money from drugs and contraband, donations and charities, as well as the globalised network for raising and moving funds from **Jihadi Islamic fundamentalists** across the globe.
- ❑ This support is further **augmented by funding from the Kashmiri diaspora and NGOs**. These are thereafter used as part of Pakistan's proxy war against India, thereby bringing various components of funding together.
- ❑ However, in the case of **Indian Mujahideen**, state sponsorship in the form of financial support from ISI, mobilisation through organised criminal activities to raise funds and exploitation of globalised networks for financial resources have been the ways to keep their unlawful activities going.
- ❑ It is believed that ISI's terror network is self-supporting financially and the money comes from:

- Donations from Islamic countries in the name of Jihad
- Earnings from drug trafficking
- Issuing fake Indian currency notes (FICN)
- Other kinds of organised crime
- ❑ It is believed that the **financial network operates through a few trusts**, like the Al-Rashid from Karachi and the Rabita Trust from Islamabad. Usually these trusts operate through fake bank accounts.
- ❑ The transfer of money to terrorist organisations is largely done through **hawala transactions**. Many a times, it has been found by Indian intelligence agencies that agencies like JeM, LeT and HM are funded indirectly by the ISI through the above-mentioned means.

Funding Sources for Other Forms of Terrorism:

- ❑ Most insurgencies of the North-east receive funding from **extortion and taxation**, which is a local source. This is supplemented by **trafficking of drugs, weapons and counterfeit currency**. The insurgencies in the region have limited state-sponsored funding from outside and raising finances through **private sources** is the norm.
- ❑ The case of CPI (Maoist) led insurgency is similar, with **local financial resources** providing the bulk of its funding. They also take a **share from big infrastructure projects** like roads, national highways, dams, rural development projects, etc.
- ❑ Apart from this, they **receive security money from mining companies** and multinational corporations (MNCs) operating in the country. But there is no substantive evidence of state sponsorship to naxalism. They have also not profited substantially from the globalised financial environment.
- ❑ These groups then use the **funds collected to smuggle weapons, explosives and technology based equipments, like satellite radios**, from across the border.
- ❑ India has porous borders with Nepal, which is exploited. Similarly, borders with

Bangladesh, Myanmar and Pakistan are often used for pushing in weapons and ammunition.

Steps Taken to Check Terror Funding

- ❑ Making terrorist finance an offence under UAPA
- ❑ Integrated action of Security agencies with Financial Intelligence Unit
- ❑ Demonetisation
- ❑ Improved safety features in new currency
- ❑ Strengthening of PMLA in 2013 and 2018
- ❑ A special Combating Financing of Terrorism (CFT) Cell (created in MHA in 2019).
- ❑ The Unlawful Activities (Prevention) Amendment Act, 2004 also provides for punishment for knowingly holding a property derived or obtained from the commission of a terrorist act or acquired through terrorist funds.

Modern Day Online Terrorism (Cyber Extremism):

- ❑ One can clearly see a **shift in the modus operandi of terror outfits in the way of recruiting, training and deploying the cadre**. Earlier the potential candidates were won over by taking recourse to self-proclaimed superiority of particular religion or ideology.
- ❑ They were then smuggled out to undergo further **indoctrination and tactical training outside the targeted country**. Thereafter they were sent back to await instructions as sleeper cells or tasked to carry out certain terror attacks or operations.
- ❑ Here **everything is online, from radicalisation to recruitment to training to money transfer**, which is far more dangerous than the ISI modus operandi which usually trains people across the border. In the ISI module, the **wannabe terrorist** had to cross Indian border via various routes which was not as easy always.
- ❑ With the advent of widespread use of internet and modern communication technology, both open and clandestine (deep web, dark web etc.) there is no need to send the cadre for training in designated locations.

Radicalisation:

- ❑ Radicalisation is a **process by which an individual or group, being dissatisfied with the current scenario, adopts an increasingly extreme political, social or religious ideology to change things as per his/their beliefs**, which could also involve violence.
- ❑ Radicalisation, if unchecked, can **lead to extremist discourse in society**, recruitment by terrorists, aggravate communal tension/violence and fuel extremism in other groups.
- ❑ In the recent past radicalisation of youths by the terrorist organisation is on a rise.
- ❑ **Online radicalisation and recruitment of Indian youth by ISIS** is a major threat to the nation's sovereignty, security and integrity. But with the advent of increasing internet penetration and social media the problem has got compounded.
- ❑ It is **difficult to regulate social platforms** due to their inherent advantages on one hand and greater anonymity, and transnational reach on other.

De-radicalisation and Counter Radicalisation

De radicalisation is a process by which an already radicalised person is brought back into mainstream society while counter-radicalisation is the process by which vulnerable persons are prevented from getting radicalised.

Way Forward to Check Online Terror:

Any step to regulate the internet should be in consonance with utmost respect to the fundamental rights of citizens to speech and expression, information, connection etc.

- ❑ **International Cooperation:** An international consensus should be built among nations and various IT-related organisations to follow certain guidelines in regulating internet use.
- ❑ **Comprehensive Legislation:** Strict laws should be enacted to create deterrence for being involved into any kind of radicalisation.
- ❑ **Empowered investigation and judicial process** to punish those involved in such activities.

- ❑ **Use of Technology:** Technology like big data can be used to catch phrases related to radicalisation and delete any such content. To avoid children falling prey to radicalisation, online sites can use similar method like YouTube to verify the age of viewer before allowing to watch any adult video.
- ❑ **A multi-pronged strategy focusing on rational and logical counter-propaganda** should be adopted with the help of civil society, NGOs etc. We need to have very strong online surveillance capabilities. Social media monitoring capabilities to counter such kind of radicalisation.
- ❑ **Increase in intelligence sharing and coordination** between agencies such as NIA, IB and state police, etc. is a must to prevent such incidents.
- ❑ **Parents, family and society needs to be more alert and aware** in watching the activities of their children. They should not only monitor activities but counter the radical ideology with rational and logical thinking Help to be provided by professional counsellors to counsel against radicalisation once it is reported by some friend or family member.
- ❑ **Police forces needs to be trained to develop counter terror capabilities** and should be equipped with knowledge of recent technology.

Preparedness against terrorism:

Key elements of a potential counter-terror strategy:

- ❑ **Political consensus:** Union Government should have intensive interactions with the States and Union Territories while drawing up the national strategy, the latter would be required to do their part in close consultation with the nodal ministry of the Government of India.
- ❑ **Good governance and socioeconomic development:** This would necessitate high priority being given to development work and its actual implementation on the ground for which a clean, corruption-free and accountable administration at all levels is an imperative necessity.

- ❑ **Respect for rule of law:** Governmental agencies must not be allowed to transgress law even in dealing with critical situations caused by insurgency or terrorism.
- ❑ **Countering the subversive activities of terrorists:** Government must give priority to defeating political subversions (e.g. by terrorists and Maoists). The emphasis should be on civil as opposed to military measures to counter terrorism and insurgency.
- ❑ **Providing the appropriate legal framework:** The ordinary laws of the land may not be adequate to book a terrorist. This may require special laws and effective enforcement mechanisms, but with sufficient safeguards to prevent its misuse.
- ❑ **Building capacity:** The capacity building exercise should extend to the intelligence gathering machinery, security agencies, civil administration and the society at large.

Steps taken by government:

- ❑ **Enacting legislative framework** such as The Unlawful Activities (Prevention) Act, 1967; The National Security Act, 1980; The Terrorist and Disruptive Activities (Prevention) Act (TADA), 1985 and 1987; Prevention of Terrorism Act, 2002 (POTA)
- ❑ **Call for adoption of Comprehensive Convention on International Terrorism (CCIT)**, a proposed treaty which provides a comprehensive global legal framework against terrorism.
- ❑ **Cooperation with USA:** In 2011, US-India Homeland Security Dialogue was created, which was the first comprehensive bilateral dialogue on homeland security issues between our two countries.
- ❑ **Part of Global Network of Cities on Terror Fight:** Mumbai has now become part of this network formed at UN Level that will exchange techniques and develop infrastructure to combat extremism and strengthen their cyber security system.
- ❑ **Countering terrorist financing:** India is part of the Global regime of Financial Action

Task Force which aims to counter terrorist financing. For instance, FATF has kept Pakistan in its Grey List for failing to comply with its deadline to prosecute and penalize terrorist financing in the country.

Institutional Framework to Tackle Terrorism:

Before 26/11	<ul style="list-style-type: none"> • Before 2008, terrorism was fought mainly by the Intelligence Bureau (IB) with the help of state police and Central Armed Police Forces. The IB played the role of an intelligence agency which coordinated the efforts of various state police forces. • The operations and investigations part were looked after by the state police. After the assassination of former Prime Minister Indira Gandhi, a special commando force (NSG) was created to engage and neutralise the terrorist threats in specific situations. NSG commandos were trained in high risk tasks like counter hijacking and counter terrorist operations.
New Changes after 26/11	<ul style="list-style-type: none"> • Although the Mumbai Police and the NSG are applauded for their operations during the 26/11 attacks, their initial response and operating procedures brought to light serious flaws in coordination. • Post 26/11, many steps were taken by the Centre in this regard. The Centre also announced the creation of many new institutions, NIA, NATGRID, MAC (revamping), NCTC. Many steps were taken on the legal front also.

Natgrid

- ❑ The National Intelligence Grid or NATGRID is an **integrated intelligence grid** that will link the **databases** of several departments and ministries of the Government of India so as to collect comprehensive patterns of intelligence that can be readily accessed by intelligence agencies.
- ❑ It is a **counter terrorism measure** that collects and collates a host of information from government databases including tax and bank account details, credit card transactions, visa and immigration records and itineraries of rail and air travel. This combined data will be made **available to 11 central agencies**.
- ❑ It is **yet to become operational**. The government is taking measures to make NATGRID functional.

Revamping of Multi Agency Centre (MAC)

- ❑ MAC is a **multi-agency centre for Counter Terrorism** whose mandate is to share terrorism related intelligence inputs on a day to day basis.
- ❑ Multi Agency Centre (MAC) was created at Delhi and Subsidiary Multi Agency Centres (SMACs) in various states comprising representatives from various security agencies for streamlining intelligence efforts **after Kargil war**.
- ❑ But it was **revamped after 26/11**. MAC in the Intelligence Bureau shares intelligence with various agencies including the police, CAPFs, defence and financial intelligence agencies.

Creation of Four New NSG Hubs

- ❑ The limitation of inadequate security forces was addressed by opening NSG hubs at four places at Mumbai, Kolkata, Chennai and Hyderabad after Manesar in order to ensure faster and more effective reaction to crisis situations.

Coastal Security Scheme Revamped

- ❑ The issue of maritime security and the lack of it surfaced and gained much attention after the Mumbai attacks.
- ❑ To strengthen coastal security of the country, series of measures have been taken to review, upgrade and strengthen the coastal security of the country. The following major decisions/initiatives have been taken by the Centre:
 - The task of guarding the Indian coastline right from the shoreline has been entrusted to the **Coast Guard**.
 - However, the responsibility of overall maritime security rests with the Indian Navy.
 - Coastal States/UTs have been directed to **expedite the implementation of the approved Coastal Security Scheme** such as early completion of construction of coastal police stations, check posts, out-posts etc.

- The coastal states and UTs have been directed to immediately start **coastal patrolling by locally hired fishing boats/trawlers**.
- The coastal states/UTs have been directed to carry out **vulnerability/gap analysis** on their coasts in consultation with Coast Guard.
- Ministry of Shipping, Road Transport and Highways has been directed to **streamline the process of registration of all types of vessels**, i.e., fishing as well as non-fishing vessels.
- To **issue ID cards** to all the fishermen and all the population of the coastal villages.

Legal Framework to deal with Terrorism:

The first special act to deal with terrorism was the **Terrorist and Disruptive Activities (Prevention) Act or TADA** as it is commonly called. It came into force after Indira Gandhi's assassination. But following allegations of its misuse, it was allowed to lapse in 1995 and another special act called the **Prevention of Terrorism Act (POTA)** was enacted in 2002 in the aftermath of the December 2001 attack on Parliament. POTA was also repealed in 2004. After 26/11, the **Unlawful Activities (Prevention) Act, UAPA** Amendment Act came in force in December, 2008 which was further amended in 2012.

Unlawful Activities (Prevention) Amendment Act, 2019

Key Amendments in the legislation:

- ❑ **Expands the scope of terror entities:** Previously the central government may designate an organisation as a terrorist organisation, if it, prepares or commits or participates or promotes or otherwise involved in terrorism. **Now** the government is empowered to **designate individuals as terrorists** on the same grounds.
- ❑ **Approval for seizure of property:** Earlier an investigating officer was required to obtain the prior approval of the Director General of Police to seize properties that may be connected with terrorism. **Now**, if

the investigation is conducted by an officer of the National Investigation Agency (NIA), the approval of the Director General of NIA would be required for seizure of such property.

- ❑ **Empowering NIA:** Earlier, the investigation of cases may be conducted by officers of the rank of Deputy Superintendent or Assistant Commissioner of Police or above. This Bill additionally empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases.
- ❑ **Insertion to schedule of treaties:** There were nine treaties listed in a schedule (like Convention for the Suppression of Terrorist Bombings (1997), and the Convention against Taking of Hostages (1979)) to the Act, according to which the Act defines terrorist acts to include acts committed under those treaties. This Bill adds the **International Convention for Suppression of Acts of Nuclear Terrorism (2005)** to the list.

Need and Benefits of these amendments:

- ❑ **Increasing threats of terrorism-** especially emanating from the cross border infiltration, which have caused multiple civilian as well as defence casualties in India.
- ❑ **Many individuals escaped the radar-** Not designating individuals as terrorists, would give them an opportunity to circumvent the law and they would simply gather under a different name and keep up their terror activities.
- ❑ **Delay in the current process-** the law required that NIA take prior permission from the respective state DGP to attach the proceeds of terrorism. This delays the process as often such properties are in different states.
- ❑ **Requirement of Human Resources-** By empowering officers with the rank of inspectors and above to investigate, the amendment seeks to solve the human resource crunch in the NIA.

Concerns with the amendment:

- ❑ **Draconian Provisions-** The Central Government will be having the power to declare an individual as '**terrorist**', which

potentially dangerous because it will empower officials of Union Ministry to brand any person as a terrorist without following due process.

- ❑ **Potential of misuse-** The terms terrorist propaganda, terrorist literature etc. are vague terms having a potential of being misused by the authority.
- ❑ **Goes against the judicial prudence-** if a person is labelled as '**terrorists merely on the basis of speech and thought**'. Rather it should be considered only if such speech gives rise to direct and imminent violence.

Way Forward:

- ❑ **Safeguards against misuse-** The Act have provisions for **four level scrutiny** before any decision is taken on designation of an individual as a terrorist. Proper legal and concrete evidence has to be there to support this and there will be close scrutiny at every level.
- ❑ The different agencies of state should ensure that **due process of law** is applied while dealing with various cases under this legislation.
- ❑ **Need to ensure state of the art training-** of young officials as to make them competent in tackling complex cases.
- ❑ **Need for a central agency for overseeing evidence collection-** so as to aid investigation process, especially when cases need to connect dots across the borders.
- ❑ The primary duty of the state is to **secure the lives and property** of its citizens and this amendment empowers the state in doing so.

NIA (AMENDMENT) ACT, 2019

The Parliament recently passed the **National Investigation Agency (Amendment) Act 2019**, which **seeks to expand the powers and jurisdiction of the NIA**.

Key Amendments:

- ❑ **Enhances the scope of Offences:** which are mentioned in the schedule to the Act, such as the Atomic Energy Act, 1962, and the Unlawful Activities Prevention Act, 1967. This amendment enhances this scope to include other offences like **human**

trafficking; offences related to counterfeit currency or bank notes; manufacture or sale of prohibited arms; cyber- terrorism; offences under the Explosive Substances Act, 1908.

- ❑ **Enhances the jurisdiction of the NIA:** as the officers of the NIA will have the power to investigate scheduled offences committed outside India, subject to international treaties and domestic laws of other countries.
 - The **Union government may direct the NIA** to investigate such cases, as if the offence has been committed in India.
 - The **Special Court in New Delhi** will have jurisdiction over these cases.
- ❑ **Additional Provisions for Special Courts:** The NIA Act allowed the central government to constitute Special Courts for the trial of scheduled offences.
 - Now the central government may designate **Sessions Courts as Special Courts** for the trial of scheduled offences, but in consultation with the Chief Justice of the High Court under which the Sessions Court is functioning.
 - When more than one Special Court has been designated for any area, the senior-most judge will distribute cases among the courts.
 - Further, state governments **may also designate Sessions Courts as Special Courts** for the trial of scheduled offences.

Way Forward:

The functioning of NIA **should not depend on political mandate**, but on rule of law. It must be ensured that **human rights** are secured.

Issues With Anti-Terror Legislations

- ❑ **Incoherence and Misuse-** The haste in legislating anti-terror laws led to a significant amount of **incoherence**, without substantial thought being given to the unintended consequences of the **slight tweaks in language**.
- ❑ Various other state laws have been made without studying the misuse and impact of TADA and POTA, thus increasing the suspicion of their misuse.

- ❑ **Complexities of Indian federalism-** Various state laws have faced hurdles in getting Presidential assent and similarly, legal attempts to bring a National Counter Terrorism Centre were thwarted by the state governments.
- ❑ **Legislative gap between Union laws-** such as there was a long gap of four years (since repeal of POTA in 2004 till the amendments in UAPA in 2008) when India did not have any special federal anti-terror legislation.
- ❑ **State specific problems-** such as the presence of underworld and organized crime networks in Maharashtra, Arunachal led to the enactment of legislations against organized crime like MCOCA, APCOCA.

Failure of Intelligence Agencies

- ❑ Lack of expertise and infrastructure has resulted in a **substandard surveillance** from across the border resulting in ever increasing terror activities.
- ❑ Lack of **coordination** between **Army, state police, paramilitary forces** lead to confusing outcomes. Similarly there is **no coordination** between defence intelligence units like IB, NSA, NSC have been creating lacunae within.
- ❑ **Hierarchical confusions** arising because of presence of PMO, NSA, Ministry of Defence, Ministry of Home Affairs all in loop creating slip ups.
- ❑ **Inputs gathered** are either **too late or not unabridged** enough to know the exact nature of the activity. Ex: Mumbai attacks information.
- ❑ **Reports not tabled in Parliament** and anonymity maintained as to how they function. This leads to lack of accountability.
- ❑ **No parliamentary or public debate** happens on working of these institutions which diminishes essence of democratic debates in country.

Convention On International Terrorism

The **Convention on international terrorism** was proposed by India in **1996**. Despite the passage of two decades, the countries are yet to come to a conclusion.

Need:

- ❑ CCIT provides a legal framework which makes it ***binding on all signatories to deny funds and safe havens*** to the terrorist groups.
- ❑ It will provide an ***universal definition of terrorism*** that all 193-members of the UNGA will adopt into their own criminal law.
- ❑ To ban all terror groups and shut down terror camps. To make ***cross-border terrorism an extraditable offence*** worldwide. Without it countries are unable to develop a norm under which terrorists shall be prosecuted or extradited.
- ❑ Increased ***data sharing*** between ***foreign funding, drug and arms trade*** network and foreign tourist arrival (FTA) data.
- ❑ ***Islamic state*** is growing its influence further east despite being under siege in Iraq and Syria. The deadly attacks in Pakistan, on a court and a Sufi shrine, and the unearthing of an IS cell in Hyderabad in India are proof. So there is a need for the global effort against terrorism.

India's role:

- ❑ ***India must isolate and act against countries*** that serve as safe havens for terrorists.
- ❑ India must redouble its ***diplomatic efforts*** with the UNSC, US, OIC, and the Latin American countries who are creating major obstacles to ratify the UN Comprehensive Convention on International Terrorism.
- ❑ Adoption of the draft ***Comprehensive Convention on International Terrorism*** will be an expression of India's resolve to fight terrorism.
- ❑ The ***current differences between definition of terrorism*** need to be resolved through a broader framework with stress on human right violations and extra judicial killing.
- ❑ With terrorism on a rise and even countries who have been sponsors of terror are becoming victims of it shows the necessity and significance of ***CCIT*** and with India's continuous pursuance this can be achieved.

Role of FATF in Combating Terrorist Financing:

- ❑ ***Setting global standards to combat terrorist financing:*** FATF ensures all its members have implemented measures to cut off terrorism-related financial flows, in accordance with the ***FATF Recommendations***. All members are required to:
 - Criminalise the financing of individual terrorists and terrorist organisations.
 - Freeze terrorist assets without delay and implement ongoing prohibitions.
- ❑ Evaluating countries' ability to prevent, detect, investigate and prosecute the financing of terrorism: ***FATF issues two lists namely-***
 - ***Black list*** (officially known as High-Risk Jurisdictions subject to a Call for Action): The current FATF blacklist includes two countries: ***North Korea and Iran***.
 - ***Grey list*** (officially referred to as Jurisdictions Under Increased Monitoring)
- ❑ ***Assisting jurisdictions in implementing financial provisions of the United Nations Security Council resolutions on terrorism:*** The FATF has developed a range of tools and guidance to help detect, disrupt, punish and prevent terrorist financing.

Mutual Legal Assistance Treaty

- ❑ The ***Ministry of Home Affairs is the nodal ministry*** for concluding Mutual Legal Assistance Treaties in criminal matters which are designed to facilitate widest measures of mutual assistance in investigation, prosecution and prevention of crime, service of summons and other judicial documents, execution of warrants and other judicial commissions and tracing, restraint, forfeiture or confiscation of proceeds and instruments of crime.
- ❑ These agreements assume ***importance in combating transnational organised crimes, trans-border terrorism, crimes and other serious offences***, such as drug trafficking, money laundering, counterfeit

currency, smuggling of arms and explosives, etc. India has so far operationalised these treaties with 34 countries.

Joint Working Groups (JWGs) to Counter Terrorism:

The **Ministry of External Affairs is the nodal authority** for setting up of JWGS on Counter Terrorism to **exchange information and strengthen international cooperation** to combat terrorism and transnational organised crime. PP Division acts as an interface with MEA on issues concerning Joint Working Groups on Counter Terrorism set up between India and other countries to discuss bilateral security issues.

Security Council Resolution 2322:

On December 12, 2016 the Security Council unanimously adopted a resolution aimed at **enhancing and fortifying judicial cooperation worldwide** in countering terrorism. It aims to enhance the efficacy of international legal and judicial systems in their fight against terrorism through operational collaboration.

National Counter Terrorism Centre (NCTC)

- ❑ The concept was **conceived after 26/11**, where several intelligence and operational failures revealed the need for federal agencies with real time intelligence inputs of actionable value, specifically to counter terrorist acts.
- ❑ NCTC was **mooted to be an apex body with single effective point of control** for all counter terrorism measures. It was **modelled on the lines of American and British bodies**. NCTC was to be kept under the administrative control of IB.

2nd ARC Recommendations:

- ❑ **Need for a Comprehensive Anti-Terrorist Legislation:**
 - A comprehensive and effective legal framework to deal with all aspects of terrorism needs to be enacted. The law should have adequate safeguards to prevent its misuse. The legal provisions to deal with terrorism could be

incorporated in a separate chapter in the National Security Act, 1980.

❑ ***Definition of Terrorism:***

- There is need to define more clearly those criminal acts which can be construed as being terrorist in nature.

❑ ***Confession before a Police Officer:***

- Confession before the police should be made admissible. But this should be done only if comprehensive police reforms are carried out. Till such time, confessions should continue to be made before judicial magistrates.

❑ ***Special Courts:***

- Provisions for constitution of Special Fast Track Courts exclusively for trial of terrorism related cases may be incorporated in the law on terrorism. Other specific provisions related to such Special Courts may also be incorporated. Such Courts may be set up as and when required.

❑ ***Measures against Financing of Terrorism– Anti-money Laundering Measures:***

- **The Prevention of Money- laundering Act (PMLA)** may be suitably amended at an early date to expand the list of predicate offences to widen its scope and outreach.
- The financial transaction reporting regime under the Financial Intelligence Unit (FIU-IND) may be extended to cover high risk sectors such as real estate. There is also need to strengthen the capacity of FIU-IND to enable it to meet future challenges.

❑ ***Role of Citizens, Civil Society and Media in Combatting Terrorism– Education:***

- NCERT has proposed a scheme to encourage and support institutions, voluntary agencies and NGOs etc. engaged with school education for promotion of Education for Peace within the country. These initiatives need to be encouraged with necessary funds and other material support.

- The feasibility of extending the scheme to religious schools also needs to be examined.
- ❑ **Role of Citizens, Civil Society and Media in Combatting Terrorism– Media:**
 - The potential of media in spreading education and awareness needs to be tapped to build the capacity of citizens in dealing with any public disorder, particularly terrorist violence.
 - Media should be encouraged to evolve a self-regulating code of conduct to ensure that publicity arising out of terrorist attacks does not help the terrorist in their anti-national designs.
- ❑ **Role of the State and Reforms:**
 - A national forum should be set up for formulation of policy and strategy for dealing with terrorism.
 - A stable, comprehensive, all India anti-terrorist legislation, having adequate safeguards against abuse, must be put in place.
 - While terrorist violence has to be effectively dealt with by the security forces, people's grievances– genuine and perceived– which get exploited, have to be redressed by concerned agencies with a sense of urgency.
 - A stable, effective and responsive administration is an antidote to terrorism.
 - For effectively dealing with violence, outdated laws (e.g., The Explosive Act), containing irrelevant provisions resulting in delay in investigation and prosecution of offenders, must be amended.
 - Developmental activities should be planned and executed with due regard to problems of displacement of people, resettlement etc., so that violent eruption of conflicts on such issues can be avoided.

“Lone Wolf” Attacks:

- ❑ These attacks involve threat or use of violence by a ***single perpetrator*** (or a small cell).

- ❑ A lone wolf acts ***without any direct support*** of any other group or other individual in the ***planning, preparation and execution*** of the attack.
- ❑ Ranging from threatening and intimidating people to ***indiscriminate shootings, vehicle ramming, stabbing and suicide bombings***, lone wolf terror attacks have become a grave threat.
- ❑ Long-term data reveals the proportion of lone wolf attacks, has risen from under five per cent in the mid- 1970s to above ***70 per cent for the period between 2014 and 2018***.

Reasons for recent increase in Lone wolf attacks

- ❑ ***Ease of radicalization through technology:*** Number of online forums and social media profiles, where hate-speech and pro-terrorist sentiment flourishes, has increased. They act as source of inspiration and aid to forge connections to like-minded extremists.
- ❑ ***Mental illness:*** According to some estimates, more than 40 percent of attacks were perpetrated by people with diagnosed mental illness.
- ❑ ***Increasing extreme ideological movement:*** Extreme ideological movements are growing stronger in several European countries. Agitators have exploited the fear of religious minorities and refugees in order to undermine public confidence in government and turn them against the society.
- ❑ ***Ease of execution:*** Terrorist organisations have embraced this tactic to spread violence in countries where coordinated big attacks are difficult to execute due to stringent security.
- ❑ ***Lax Gun Control regime:*** favors lone wolfs in carrying out attacks with mass casualties.

Way forward

- ❑ ***A multi-pronged approach towards radicalization*** must be adopted by the government and the security agencies, anchored in human intelligence, strong ties with communities and community leaders and deradicalization programmes.

- ❑ **Monitoring social media** can help officials spot potential attackers without previous connections to other terrorists.
- ❑ **Try to make lone-wolf attacks less lethal** by limiting access to explosive materials, semiautomatic weapons etc.
- ❑ Focus on gathering intelligence, arresting suspected cell leaders, and destroying terrorist command centers involved in radicalization activities.
- ❑ **Proactive measures** such as training and equipping the local police, contingency plans by the intelligence and counter-terrorism structures, and a robust national counter-terrorism doctrine addressing the different nuances of terrorism are strategically important to subdue any attempts of lone wolf terrorism.
- ❑ **Big data analytics** can be used to discern the level of radicalization of potential recruits, their networks and sources of information, funding and leadership in order to help unravel the roots of radicalization.

Previous Year Questions: GSM-3

1. Cross-Border movement of insurgents is only one of the several security challenges facing the policing of the border in North-East India. Examine the various challenges currently emanating across the India-Myanmar border. Also, discuss the steps to counter the challenges. - **2019**
2. Indian Government has recently strengthened the anti-terrorism laws by amending the unlawful Activities (Prevention) Act (UAPA), 1967 and the NIA act. Analyze the changes in the context of prevailing security environment while discussing the scope and reasons for opposing the UAPA by human rights organizations. - **2019**
3. The scourge of terrorism is a grave challenge to national security. What solutions do you suggest to curb this growing menace? What are the major sources of terrorist funding? - **2016**
4. What, in your opinion, are the causes of terrorism? Suggest suitable measures to deal with the threat of terrorism in India.- **2008**

LINKAGE BETWEEN ORGANISED CRIME AND TERRORISM

Introduction:

- ❑ Understanding the organised criminal group as per **UN convention against Transnational Organised Crime** defines organised criminal group as:
 - A group of three or more persons that was not randomly formed;
 - existing for a period of time;
 - acting in concert with the aim of committing at least one crime punishable by at least four years' incarceration;
 - In order to obtain, directly or indirectly, a financial or other material benefit.
- ❑ **Organised crimes** are done with the motive of monetary gains by illegal means. Organised crimes are transnational in nature. Their presence is a great threat for the country's security.
- ❑ **Definition of organised crime as per Maharashtra control of organised crime act, 1999.** "Organised crime" means any continuing unlawful activity by an individual, singly or jointly, either as a member of an organised crime syndicate or on behalf of such syndicate by using violence or threat of violence or intimidation or coercion, or other unlawful means, with the objective of gaining pecuniary benefits, or gaining undue economic or other advantage for himself or any person or promoting insurgency.
- ❑ **Interpol has defined organised crime as** "Any group having a corporate structure whose primary objective is to obtain money through illegal activities, often surviving on fear and corruption"
- ❑ **Organised crime (OC) is highly sophisticated, diversified, and widespread activity that** annually drains billions of dollars from the global economy by unlawful conduct and illegal use of force, fraud, and corruption.
- ❑ **Organised criminal activities weaken the stability** of the nation's economic system, harm innocent investors and competing organisations, interfere with free competition, seriously burdens interstate and foreign commerce, threaten the domestic security and undermine the general welfare of the nation and its citizen

Organised crime can be grouped to two parts as-

- ❑ **Traditional organised crime** (illicit liquor trade, betting, gambling, extortion etc.).
- ❑ **Non-traditional organised crime** (money laundering, circulation of fake currency, Hawala transfer etc.) Organised crime thrives in the areas where enforcement of law and order is not proper.

Factor helping in growth of organised crime-



- ❑ Increasing demands of illegal goods in global market like trade of Human organs, endangered wild life, drugs etc.
- ❑ Geographical terrain and opens borders.
- ❑ Globalisation had brought new opportunity and market for these groups.
- ❑ Unholy nexus between politicians, bureaucrats and criminals
- ❑ Criminalisation of politics.
- ❑ Technology also helped them to operate safely hence reducing their risk.

- ❑ Return compared to the risk factor is very high.
- ❑ India's proximity with drug producing regions like **Golden Crescent** in the West and **Golden Triangle** in the East.
- ❑ The globalisation of the economy has definitely helped the crime syndicates carry out their illegal activities across the borders with great ease. This has been further facilitated by the phenomenon of '**digital money**'. Such organisations, very conveniently find safe havens outside the country.
- ❑ **Trans-national presence:** Some of the crimes are planned in outside the country. Tough terrain in India's neighbourhood provides safe havens to these organised criminals.
- ❑ **Poor criminal justice system:** There are 3 crore pending cases in Indian judiciary. The delayed justice and poor investigation by police also gives opportunity to these organised criminals to exploit the system.

Suggestions:

Variants of organised crime

- ❑ Arms trafficking.
- ❑ Drug Abuse and Drug Trafficking
- ❑ Narcotics trafficking
- ❑ Human smuggling
- ❑ Money laundering
- ❑ Illegal Immigration
- ❑ Contract Killings
- ❑ Prostitution
- ❑ Fake currency
- ❑ Gold smuggling
- ❑ Maritime piracy
- ❑ Extortion
- ❑ Cybercrime etc.

Challenges:

- ❑ **No Specific law:** India does not have any specific law to deal with organised crime. It depends on various provisions of IPC and other laws which are scattered.
- ❑ **Anonymity of leadership:** As organised criminal groups are structured in a hierarchical manner, it becomes difficult to identify these leaders. Also, such groups keep changing their leadership to avoid law enforcement agencies.
- ❑ **Lack of Resources:** According to the Constitution, police is a state subject. But many states are not in a position to invest resources to deal with organised crime.
- ❑ **No Central Agency:** India does not have any central agency to coordinate with state agencies, for combating organised crime.

- ❑ We should also create one central agency mandated under the law, to coordinate with state agencies for all the issues related to organised crime.
- ❑ Improving intelligence is the most important task because organised crimes are done anonymously. Such anonymity can only be traced with the help of strong local intelligence.
- ❑ Cooperation of International organisations, governments and civil society is needed to curb the crimes with no borders.
- ❑ Central government should allocate more resources to the state government to improve their criminal justice system.
- ❑ Police department should be made truly independent to deal with organised criminals.
- ❑ Improving criminal justice system.
- ❑ Separating law and order functions and investigation functions of police.
- ❑ Unemployment should be reduced by giving priority to job creation and skill development.

2nd ARC: India needs to enact a central law which will deal with all organised crimes comprehensively. Specific provisions to define organised crimes should be included in the new law governing '**Federal Crimes**'. The definition of organised crime in this law should be on the lines of the **Maharashtra Control of Organised Crime Act, 1999**.

Understanding the link between the organised crime and Terrorism:

- ❑ **Terrorism and organised crimes** (money laundering, drug trade, weapons trade, human trafficking, fake currency) are **conjoint twins** that pose a great threat to the world through their syndicate and their deadly effects.

- ❑ As to carry out terrorist activity a **lot of money is required** so, terrorist engage in organised crime to fund their terrorist activity. **Organised crime is main source to generate money for terrorist.**
- ❑ Due to **transnational nature of organised crime they host the terrorist** and create opportunity for their growth in new areas.
- ❑ Terrorist **groups use the established network of organised criminal groups** for transfer of money.
- ❑ **Organised crime groups provide smuggled arms and explosive to terrorist** groups in exchange terrorist group provide protection, drugs etc.
- ❑ Terrorist organisation also mobilise funds by providing couriers of illegal drugs and arms etc. for various organised criminal group.

They have **a symbiotic relationship** and their strong presence can be seen in the areas having ineffective governance. But all organised crime is not terrorist act and not all terrorist acts are organised crime.

Examples showing relationship between organise crime and terrorism:

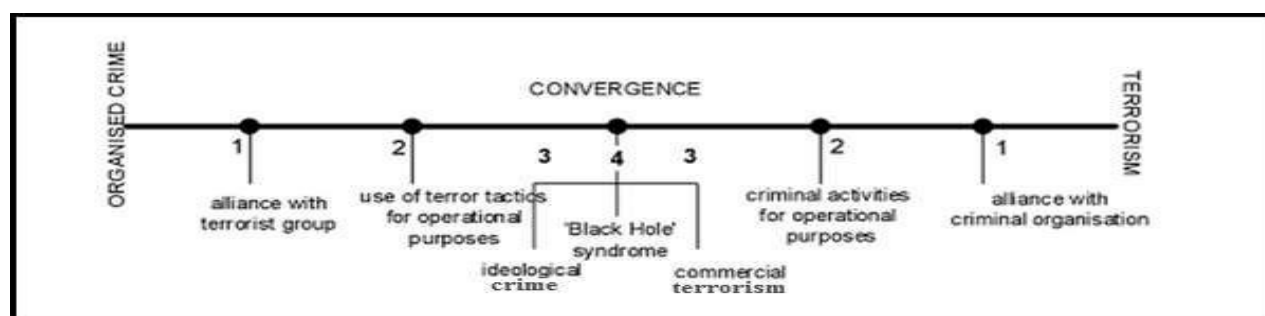
- ❑ Human trafficking, drug trafficking and gun running are some of the other criminal activities that have been common sources of funds for terrorism.
- ❑ In the **Northeast, extortion is the fundamental basis** for funding all forms of terrorism. In addition to this, kidnapping has been used extensively for spreading terror and raising funds.
- ❑ **In J&K, counterfeit currency** has been a major source of funding terrorism. Money laundering plays a significant role. Hawala (money laundering) transactions take place swiftly and effectively in Kashmir.
- ❑ **In the Maoist terror movements, extortion** is yet again a common phenomenon. They have also indulged in robberies of banks to fund their movement.

Similarities Between Organised Crime and Terrorism:

- ❑ Both use **extreme violence** and the threat of reprisals. The violent activities include use of kidnappings, **assassinations**, and **extortion**.
- ❑ Both **operate secretly**, though at times publicly in friendly territory.
- ❑ Both **defy the state and the rule of law**. They present great security threat to the nations.
- ❑ Both are **highly adaptable, innovative**, and resilient.
- ❑ They both have provided **social services**, though this is much **more frequently** seen with terrorist groups.

Linkages Between Organised Crime and Terrorism:

- ❑ Terrorist groups **need arms and money** to fight against security forces. The organised criminals and terrorist groups become client of each other. Organised criminals groups smuggle arms, drugs, cattle, humans to generate money for terrorist groups.
- ❑ Terrorist groups always try to **destabilise the country** and bring down the morale of security forces. When the terrorist groups are unable to confront with the security forces directly, they turn towards organised criminals. Thus organised criminals indirectly help these terrorist groups.
- ❑ Organised criminal groups generally establish **strong communication network**. These organised groups act as eyes and ears of the terrorist groups.
- ❑ Terrorist organizations in India, especially in the northeast, mobilize funds by becoming **couriers of illegal drugs and arms** and at times even human beings from one point to another within the country.
- ❑ Terrorists are **always in need of money**. As they fail to mobilise large amount of money, they take help of organised criminals to exchange counterfeit currency with arms.



Penetration of Organised crime and their link with terrorism in different states of India	
Jammu and Kashmir	Money laundering and Hawala transaction took place in the state in order to fund the terrorist activity. Fake currency is used for the payment of terrorists. Terrorists as couriers for fake currency in the state.
North-East Region:	Extortion, kidnapping etc. are main sources to generate money for funding insurgency in the region. Terrorists provide courier services for organised criminal groups like illegal drugs and illegal arms etc.
In Left wing extremism area:	Extortion is main source of revenue for funding extremism.

Another perfect example of this link of terrorism and organised crime can be seen in Bombay blast of 1993. The groups like D-company come in light.

Difference between organised crime and terrorism	
Organised Crime	Terrorism
<ul style="list-style-type: none"> • Aims to run a parallel economy • Any change status quo is accidental. • Mostly prefers non-violence • Economic objectives 	<ul style="list-style-type: none"> • Aims to over throw the existing by changing the status quo. • Violence is main weapon. • Political objective.

Breaking the Nexus of organised crime and terrorism

With increasing international pressure, increased understanding between governments of different countries the state funding of these terrorist is going down day by day so, for financial viability their link with organised crime is increasing.

Following steps can be taken to deal with nexus-

- ❑ Stringent laws are required like Gangster act to tackle organised crime.
- ❑ Better intelligence and along with good military support.
- ❑ Disrupting the networks of terrorist and syndicates of organised criminal groups.
- ❑ Multilateral arrangements applied in

which terrorist organisation and organised criminal network and their link can be broken by intelligence, local police and with help of central government departments.

- ❑ Loopholes in the laws which are exploited by the organised criminal networks should be removed.
- ❑ Capacity and better training to law enforcement agencies of the country.

Government's effort to deal with organised crime in the country-

- ❑ Various laws under IPC and CRPC.
- ❑ **Enactment of** Maharashtra control of organised crime act, 1999.
- ❑ The unlawful activities prevention act of 1967.
- ❑ Various measures related to prevention of these crimes in border areas and coastal regions of the country.
- ❑ Strengthening of law enforcement of agencies.

But as organised crimes are transnational in nature collect efforts needed.

So, at world level these initiatives were taken

- ❑ **UN convention against Transnational Organised Crime** along with three other protocol i.e. trafficking in persons specially women and children, smuggling of migrants, illegal manufacturing and trafficking of fire arms.
- ❑ UN office on Drug and crime for better enforcement of law and capacity building.
- ❑ Creation of financial action task force to deal with issue of money laundering and terror funding.

Conclusion:

The threat of organised crime is increasing day by day as organised crime feed over instability and weak law enforcement so , strengthening the governance mechanism is the key. India must take its immediate neighbour in confidence that their land must not be used for organised crime and strengthening the regional organisation.

Human Trafficking:

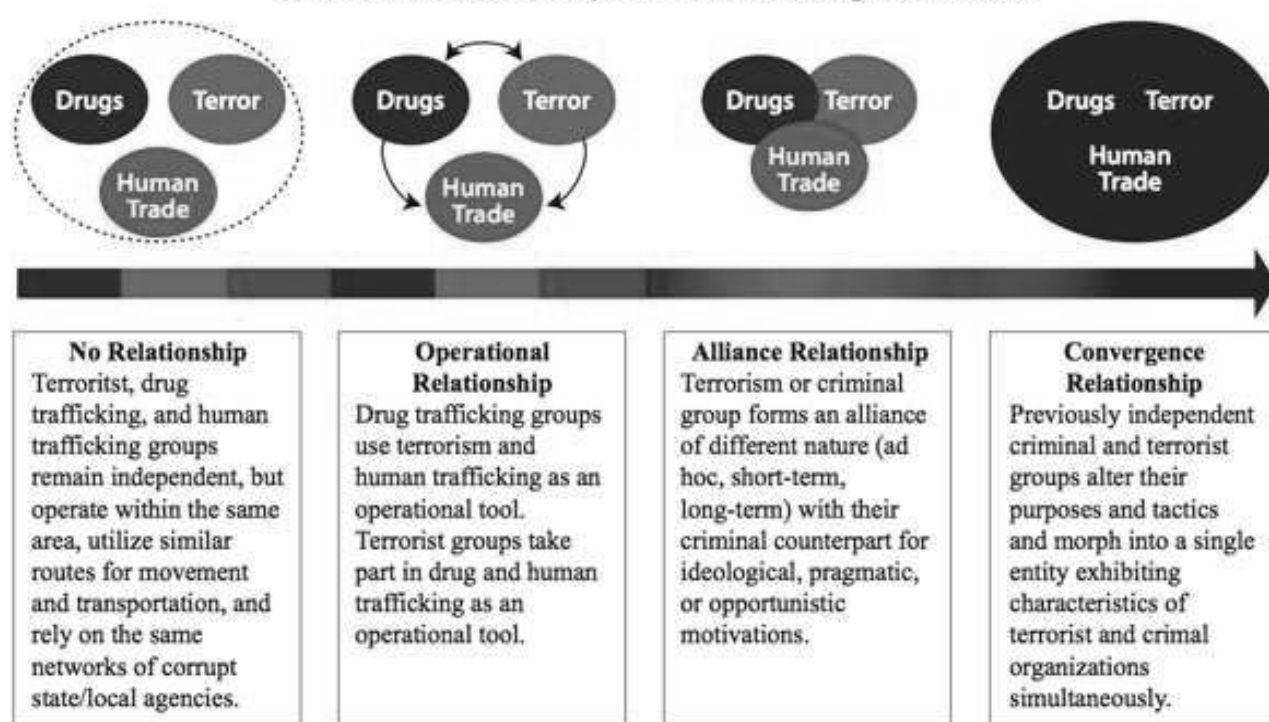
- World over, human trafficking is labelled as the **third most lucrative illicit trade**, after drugs and arms.
- According to the **UN Office for Drugs and Crime, South Asia**, with India at its centre, is the fastest-growing and second-largest region for human trafficking in the world, after East Asia.
- Even according to government data released recently, almost 20,000 women and children were victims of human trafficking in India in

2016, a rise of **nearly 25%** from the previous year

Reasons for increase in Human Trafficking:

- **Increased public awareness** of trafficking related crimes through sustained campaign by government and civil society groups. Thus, more victims are coming forward and reporting.
- **Poverty:** Thousands of poor people are trafficked to India's towns and cities each year by traffickers in lure of good jobs.

Continuum of Relationships between Trafficking and Terrorism



- **Porous international borders:** Because of this, border states especially sharing borders with Bangladesh and Nepal have become human trafficking hubs
- **Use of technology:** Recently, a complaint has been filed with the Anti-Human Trafficking Unit of CBI to probe what appears to be the biggest and most sophisticated online sex trafficking ring spread across several states where network of traffickers and middlemen operating through Facebook and encrypted messaging services, including WhatsApp
- **Unemployment:** As unemployment is rising over the years, people tend to sell their own wives and girl child for sake of money. West

Bengal's 24 Pargana district constitutes 24% of human trafficking cases.

- **Commodification of women:** In patriarchal societies women are seen as objects or commodities. Women are worst victims of human trafficking. Even the terrorist organisations are involved in women trafficking for the purpose of physical pleasure.
- **Child labour:** Child labour is a major issue in poor countries like India and other South Asian countries. As children can be paid less wages, the children are trafficked to employ them in hotels, mines etc.
- **Growing syndicate of beggars:** Earlier begging was done on individual basis. But

now it is observed that even beggars are forming groups, they target specific areas. Such beggars groups generally resort to child trafficking. These children are used for begging to gain the sympathy of the people.

The government had enacted various laws to deal with this issue but there are following issued with the existing system:

- ❑ **Cross-national victims are victimised twice.** If victim and trafficker are arrested in India, they are both charged under Foreigners Act, 1946. According to the Act, if an offender is a foreigner, he/she should be punished under this Act and deported. As a result, the trafficked person is treated as a criminal for his/her unlawful presence in India.
- ❑ **Not comprehensive law:** Indian laws do not target traffickers and their associates or penalise them adequately. The penal clauses are not used adequately to bring the clients to justice.
- ❑ **Lack of awareness of provision:** The trafficker can be charged under Section 366B of the IPC which states that importation of a female below the age of 21 years is a punishable offence but it is rarely implemented due to unawareness of police.
- ❑ **Delay in the verification of the addresses of victims:** May take as long as two or three years. The reasons for this include delay in confirmation by the Bangladesh government and Incorrect, incomplete, or vague address given by the trafficked persons at shelter home.

Status of Drug Abuse and Drug Trafficking in India:

As per a home ministry report there are around 40 lakh drug addicts in India. The most common drugs of abuse are 'ganja', 'hashish', 'opium' and 'heroin'.

Some of reasons for Drug Abuse and Drug trafficking:

- ❑ Due to the presence of **Golden Crescent and Golden Triangle** in the region, India has been more vulnerable for narcotics trafficking and its abuse.

- ❑ India has Narcotics Drugs and Psychotropic Substance Act 1985, which provides minimum punishment of 10 years for offences under this Act. But its Implementation by the states has been tardy.
- ❑ India has also signed **bilateral agreements** with USA, UK, Myanmar, Afghanistan, UAE, Mauritius, Zambia, and the Russian Federation for 'drug control'.
- ❑ Further the rise of **Virtual Currencies like Bitcoin** has also increased funding avenues for smugglers and drug traffickers.
- ❑ The **abuse of pharmaceutical preparations** like 'buprenorphine', codeine-based cough syrups and painkillers like '**proxivon**' within the country.
- ❑ **Other Factors:** Turf wars between various agencies, corruption, intelligence failure, lack of manpower and infrastructure, poor drug detection training, and procedural delays are other factors that hamper the effectiveness of the country's drug prevention efforts.

Impact:

- ❑ **Socio-Political Impact:** Drug trafficking undermines the socio-economic and political stability and sustainable development.
- ❑ **Loss of Human lives:** Drug trafficking and abuse has continued its significant toll on valuable human lives especially and loss of productive years of many persons around the globe.
- ❑ **Ever-growing prevalence** of HIV/AIDS among North eastern states people has also been highlighted as one of major implication by UNDOC.
- ❑ **National Security:** Involvement of various terrorist groups and syndicates in drug trafficking leads to threat to the national security and sovereignty of states by the way of Narco-terrorism.

Steps Undertaken by India:

- ❑ **Statutory Measures:** India has enacted **Narcotics Drugs and Psychotropic Substances Act, 1985** (NDPS Act) and Prevention of Illicit Trafficking of Narcotics Drug and Psychotropic Substances Act, 1988 through which the country is addressing various aspects of drug problem.

- ❑ **International Conventions:** India is signatory to all three UN Conventions namely, the Single Convention on Narcotics Drugs, 1962, the 1971 UN Convention on Psychotropic Substances and the 1988 UN Convention against Illicit Trafficking of Narcotics Drugs, Psychotropic Substances and has also supported the global efforts led by UN office on drug and crime (UNODC) to curb perpetrating drug menace.
- ❑ **Inter-Governmental Initiatives:** India has entered into various arrangements like Bi-lateral Agreements, Memorandum of Understandings with Nepal, Thailand and Myanmar, Joint Working Groups on Counter Terrorism and Judicial Cooperation with the countries in the region.
- ❑ **India has formulated National Policy on Narcotics Drugs and Psychotropic Substances** which has given equal emphasis on supply and demand reduction.
- ❑ **New guidelines for grant of rewards to be paid to officers,** informers and other persons in case of seizures of Narcotics drugs, Psychotropic substances were also issued recently.
- ❑ **Ensuring physical security of the borders and coasts** by strengthening patrolling and surveillance.
- ❑ **Co-operating with voluntary organisations** in the endeavour to prevent abuse of narcotics and synthetic drugs
- ❑ **Other Initiatives:** National Awards for institutions & individuals working in the field of prevention of drug abuse and creation of National Drug Abuse Helpline Number which helps the victims of drug abuse and their families in counselling and other aids.
- ❑ **Further strengthening and upgradation of intelligence network,** upgradation of surveillance equipment and future requirements such as the setting up of training academy and drug labs.
- ❑ **the Narcotics Act** may be amended to plug the procedural loopholes and to calibrate punishments by grouping the offences.
- ❑ **Demand reduction:** The strategies should also include demand reduction along with supply reduction. Supply reduction would include enforcement activities while demand reduction would involve rehabilitation and de-addiction measures.
- ❑ **Other measures:** Investigative skills need to be honed and trials expedited; Inter-agency exchange of information amongst the countries by the quickest possible means coupled with expeditious extradition proceedings.

National Policy on Narcotic Drugs and Psychotropic Substances 2014:

- ❑ **Production of Concentrate of Poppy Straw (CPS)** in India by a company or body corporate to enable India to retain its status of a traditional supplier of Opiate Raw Material (ORM).
- ❑ **Gradual reduction of** consumption of poppy straw by addicts.
- ❑ **Use of satellite imageries** for detection of illicit crop of poppy and cannabis and its subsequent eradication and development of alternate means of livelihood for cultivators.
- ❑ **Allowing private sector production** of alkaloids from opium which are at present produced only by Government Opium and Alkaloid Factories (GOAFs).
- ❑ **Adequate access to morphine** and other opioids necessary for palliative care.
- ❑ **A time bound plan of action,** in response to the recommendations of the International Narcotics Control Board.
- ❑ **Synchronisation and coherence among domestic laws** of neighbouring countries to deter drug traffickers and also for translational exchange of criminals.
- ❑ **Developing Common strategies** to tackle with emerging threat of drug trafficking through maritime route.

Way Forward:

THE ARMED FORCES (SPECIAL POWERS) ACT (AFSPA) 1958

AFSPA (1958) act enables certain special powers to be conferred upon members of the Armed forces in disturbed areas in the states.

Origin of AFSPA

- ❑ The Act came into force in the **context of increasing violence in the North-eastern States decades ago**, which the State governments found difficult to control.
- ❑ The Armed Forces (Special Powers) Bill was passed by both the Houses of Parliament and it was approved by the President on **September 11, 1958**. It became known as the Armed Forces Special Powers Act, 1958.
- ❑ AFSPA is **combination of two legislation-first** is for handling the insurgency in North-east passed in year 1958 and **second** is for handling the situation in of insurgency and terrorism in Jammu and Kashmir passed in the year 1990. Since inception these laws are controversial in the nature. As both laws are more or less same so, they are collectively called as AFSPA.

WHAT IS ARMED FORCES SPECIAL POWERS ACT?

➤ Introduced in 1958, AFSPA confers on members of the armed forces special powers to rein in suspects in areas declared "disturbed" on account of insurgent activities or similar threats. It has been in force in Manipur since 1980, and the alleged excesses committed under it are the reasons why activist from Sharmila has been on a hunger strike since 2000.

WHAT ARE SPECIAL POWERS?
AFSPA allows any commissioned officer, warrant officer and non-commissioned officer – or any other



person of equivalent rank – to:

➤ Fire upon or use force against any person acting "in contravention of any law for the time being in force in the disturbed area"

➤ Arrest suspicious people without warrant

➤ Destroy any structure suspected to house an arms dump, shelter from which armed attacks are made or are likely to be made

➤ Conduct searches without warrants for evidence, to recover a wrongfully confined person or property or arms or explosives

➤ AFSPA bars prosecution or proceedings – except with Centre's nod – against personnel for action committed while exercising powers under the Act

Disturbed area	Areas are considered disturbed "by reason of differences or disputes between members of different religious, racial, language or regional groups or castes or communities". This is for the time being declared by notification under section 3 of AFSPA Act, to be a disturbed area.
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Power to declare Areas to be disturbed Areas

The **Governor of the state or the Administrator in the case union territory or by the central government** can declare areas as disturbed areas it may be particular region or whole state after that the armed forces is used to aid the civil power.

Special powers of the Armed Forces

Any commissioned officer, Warrant officer, Non-commissioned officer or any other person of Armed forces equivalent rank.



1. After giving such due warning as he considered necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in
2. Contravention of any law or order for the time being in force in the disturbed areas prohibiting the assembly of five or more persons or carrying of weapons.
4. Arrest without warrant and use of force for that purpose.
5. Destroy any arms dump or destroying the fortified position and shelter.
6. Enter and search the premises over the suspicion without warrant.

Why we need AFSPA?

- ❑ Normal **CrPc** and **IPC** provisions are not able to address these violent situations like insurgency and terrorist activity.

Definition

Armed forces	Armed forces under the act means military forces operating and air forces operating, and include any other armed forces of the Union so operating.
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Arrested persons to be made over to the police	<ul style="list-style-type: none"> Any arrested person to hand over the officer-in-charge of the nearest police station with least possible delay, together with a report explaining the circumstances of arrest.
Protection to persons acting under the act	<ul style="list-style-type: none"> No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in the respect of anything done or purported to be done in exercise of the powers conferred by this act.

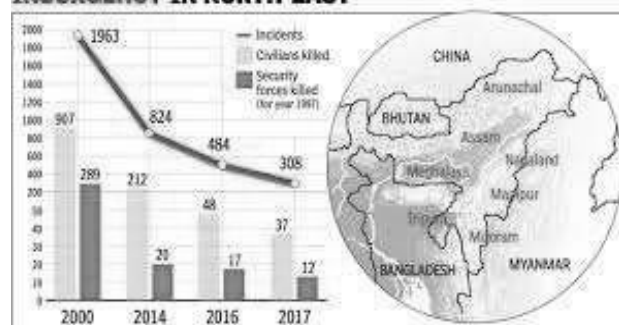


Arguments in Favour of AFSPA-

- ❑ **Provide more power to the armed forces** to perform their activities to restore the normal situation.
- ❑ If AFSPA prematurely withdrawn the security situation deteriorated and it **took more time to store peace there**.
- ❑ Normal **CrPC provides limited power** to deal with violent situation.
- ❑ In disturbed areas the **involvement of proxy group** are also there so, in order to break that nexus extra-ordinary powers are required. Extra-ordinary powers are also necessary as the armed forces face **asymmetric warfare** involving raids, ambushes, mines and explosive devices, sabotage etc
- ❑ **Effective functioning-** A sense of security in the member of Armed forces is essential to function effectively in insurgency and militancy affected areas.
- ❑ **Security of nation-** Provisions of this act have played a crucial role in maintaining law and order in disturbed areas. Thus, protecting sovereignty and security of the nation.
- ❑ **Protection of member of armed forces-** It is crucial to empower members of armed forces who constantly face threat to their lives at the hands of insurgents and militants. Its withdrawal would result in poor morale.

Arguments against the AFSPA

INSURGENCY IN NORTH-EAST



- ❑ **Misuse of the provisions** of Acts like fake encounters, extra-judicial killings, etc.
- ❑ AFSPA is described as draconian, repressive, colonial and archaic law in Indian democracy.
- ❑ AFSPA as **license to kill** given to the Armed forces.
- ❑ AFSPA can be seen as violation of all other constitutional rights like prevention against arrest and detention, privacy etc.
- ❑ Abolition will **bring down the feeling of alienation** in people of particular state and especially north-east.
- ❑ Gross violation of constitutional values, Human rights and natural justice in the country.
- ❑ **Abuse of power**- It has been alleged that immunity granted by the act has led the armed forces to misuse the powers and commit offences like enforced disappearances, fake encounters and sexual assault.
- ❑ **Threat to justiciable fundamental rights**- It leads to suspension of fundamental rights and liberties guaranteed to the citizens by the constitution. Thus, it weakens democracy.
- ❑ Human rights violations in AFSPA areas are not inquired into and followed by adequate action. Thus, it is **against the principle of natural justice**.
- ❑ **Diminishing credibility of democracy**- People's disillusionment with democratic setup is exploited by secessionists and terror sympathizers, which leads to more violence & more counter violence creating a vicious cycle.
- ❑ **Ineffective**- Critics argue that this act has failed in its objective of restoring normalcy in disturbed areas although being in existence for about 50 years.

Observation of Government Committees Over the AFSPA

The Jeevan Reddy Committee to Review AFSPA	<ol style="list-style-type: none"> 1. After the years of protest against the AFSPA and issue of human right violation the committee recommended- 2. After consultation with all the stakeholders committee recommended abolition of AFSPA. 3. Instead of AFSPA some comprehensive arrangement should be made under unlawful activities prevention act. 4. Central forces must act to aid civil power. 5. Only commissioned officer can order to use the force if he/she feels necessary. 6. Each district must have a grievances cell where these forces are deployed this cell should be independent and competent to enquire into violation of rights.
Justice Santosh Hegde Committee	Justice Santosh Hegde Committee to investigate fake encounters in Manipur described it as a "symbol of oppression".
Justice Verma Committee	Justice Verma committee (on offenses against women in conflict areas) said "AFSPA legitimizes impunity for sexual violence" E.g. Kunan Poshpora incident; Thangjam Manorama case in Manipur.
Second ARC Report	The 5 th report of the Second Administrative Reforms Commission on public order has also recommended the repeal of the AFSPA.

Role of the judiciary

- ❑ There were **questions about the constitutionality of AFSPA**, given that **law and order is a state subject**. The Supreme Court has **upheld the constitutionality of AFSPA in a 1998 judgement** (Naga People's Movement of Human Rights v. Union of India).

THE JUDGEMENT

Not permissible for armed forces to use excessive force on citizens

If such excessive force leads to death, must be thoroughly enquired into by independent body

The rule book of dos and don'ts in operations will apply whether it is militants, or terrorists or dreaded criminals

Armed forces personnel will face criminal prosecution in such cases of unjustified deaths

Can't cite AFSPA to claim immunity from all that is done in lawful discharge of official duty

Internal disturbances not war. Citizens can't be treated as enemy to justify shoot and kill

Even if person is armed in disturbed area can't be killed under presumption that he is an enemy

- ❑ In this judgement, the Supreme Court arrived at certain conclusions including:

- (a) a *suo-motto declaration can be made by the Central government*, however, it is desirable that the *state government should be consulted* by the central government before making the declaration;
 - (b) AFSPA *does not confer arbitrary powers* to declare an area as a 'disturbed area';
 - (c) The declaration has *to be for a limited duration* and there should be a *periodic review* of the declaration *6 months have expired*;
 - (d) While exercising the powers conferred upon him by AFSPA, the *authorised officer should use minimal force* necessary for effective action;
 - (e) The authorised officer should strictly follow the '*Dos and Don'ts*' issued by the army.
- Recently SC ruled that every death caused by armed forces in a disturbed area involving either a common person or an insurgent *must be thoroughly enquired into* so as to find out whether the killing was extra-judicial or not.
 - Thus there is *no absolute immunity for armed forces personnel* who commit a crime even in a disturbed area.
 - Supreme Court was hearing the *plea demanding probe into 1528 deaths alleged to be fake or extra-judicial*
 - encounters by the armed forces in the *state of Manipur*

Current Status of AFSPA-

- AFSPA is in force to the North-Eastern States of country fully or partial except the Sikkim, Meghalaya and Tripura (recently in 2018) along with the UT of Jammu and Kashmir.
- The Supreme Court had *removed the blanket immunity* to the members of armed forces.

Conclusion

We cannot run our country on the basis force we *need to develop the alternatives*.

- Peace can be established by only synchronised efforts of central and state government along with security forces.
- Final solution is political one as demonstrated in case of Tripura and Mizoram.
- There need to work on the mechanism which can lead to the building trust among armed forces and public in general.
- There is no need to run the country on the basis of bullet while the matter should be resolved on the basis of the ballet

Way Forward

- *Adherence to Human rights*- It needs to be emphasized that *human rights compliance and operational effectiveness* are not contrarian requirements. In fact, adherence to human rights norms and principles strengthens the counter insurgency capability of a force.
- *Robust safeguards*- Protection for the armed forces must be accompanied by provisions that ensure *responsibility and accountability*, within the parameters of law. It is for this reason that robust safeguards need to be incorporated in the existing or any new law. Supreme Court's judgement should be followed in letter and spirit-
- *Removing ambiguity in law*- The terms like "*disturbed*", "*dangerous*" and "*land forces*" need to be clearly defined to ensure greater clarity.
- *Ensuring transparency*- Greater transparency in communicating *the status of existing cases* to include its display on the army and government's web sites.
- *Independent inquiry*- Every death caused by the armed forces in a disturbed area, be it of a common person or a criminal, *should be thoroughly enquired into*.

LEFT-WING EXTREMISM(LWE)- A WAR UPON THE STATE

Left-Wing Extremism or Naxalism: Introduction and Origin



in the far-left radical communists political theory derived from the teachings of the Chinese political leader **Mao Zedong**.



- ❑ Left Wing Extremism (LWE) is recognised as **one of the most serious and biggest internal security threats**, not only to India's internal security but indeed **to the very basic values of the democratic, pluralistic political order enshrined in our Constitution**.
- ❑ **Spread to 17 states in India**, including Assam, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Orissa, Uttar Pradesh, and West Bengal to name the few main one.
- ❑ The Naxal insurgency in India originated in a **1967 uprising in Naxalbari** (West Bengal) under the leadership of **Charu Majumdar**, by the **Communist Party of India (Marxist)**. They are the group of people who believe
 - LWE organizations are the groups **that try to bring change through violent revolution**. They are against democratic institutions and **use violence to subvert the democratic processes** at ground level. These groups **prevent the developmental processes in the least developed regions** of the country & try to **misguide the people** by keeping them ignorant of current happenings.
- ❑ It considers **industrial-rural divide fundamental to capitalist exploitation** and hopes to overcome it by a violent mass struggle.
- ❑ Naxal violence is related to the intensity of the feeling of people of their **deprivation and their commitment to take revenge** against those who are believed to be responsible for such denial.
- ❑ Currently, the main supporters of the movement are marginalised groups of India including Dalits and Adivasi's, who believe they have been neglected by the government. **The presence of Naxals in the country**

reveals the loopholes in the law and order of the country which has failed to curb the menace.

Urban naxalism is also posing a threat. It is an old Maoists strategy to focus on urban centres for leadership, organise masses, build a united front and engage in military tasks such as providing personnel, material and infrastructure.

Terrorism	Terrorism is a complex and contested issue, as are the associated labels of extremism, violent extremism and radicalisation.
Extremism	Violent extremist ideologies have found fertile ground in fragile communities characterised by little access to development.
Radicalisation	Radicalisers work by pointing to social, political and economic injustice around their followers.

Maoism:

- Maoism is a **form of communism developed by Mao Tse Tung**. It is a **doctrine to capture State power** through a **combination of armed insurgency, mass mobilization and strategic alliances**.
- The Maoists also use **propaganda and disinformation** against State institutions as other components of their insurgency doctrine. Mao called this process, the **'Protracted People's War'**, where the emphasis is on **'military line'** to capture power.

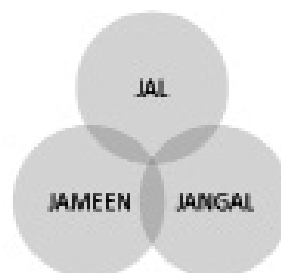
Central theme of Maoist Ideology:

- The central theme of Maoist ideology is the **use of violence and armed insurrection as a means to capture State power**. **'Bearing of arms is non-negotiable'** as per the Maoist insurgency doctrine.
- The Maoist ideology **glorifies violence** and the **'People's Liberation Guerrilla Army' (PLGA) cadres** are trained specifically in the worst forms of violence to evoke terror among the population under their domination. However, they also **use the subterfuge of mobilizing people over issues of purported inadequacies of the existing system**, so that they can be indoctrinated to take recourse to violence as the only means of redressal.
- They use **violence as their primary tool** to destabilise the state through various communist guerrilla groups.

Philosophical Background of Naxalism/ Maoism/LWE:

The ideological basis for violent movements was provided by the **writings of Karl Marx and Friedrich Engels**. This ideology is known as **Communism/Marxism**.

- This leftist ideologies believe that all existing social relations and state structures in an elite/capitalist society are exploitative by nature and **only a revolutionary change through violent means can end this exploitation**.
- Maoism's political orientation Emphasises the **'revolutionary struggle of the vast majority of people against the exploiting classes and their state structures'**.
- Key slogan of Maoists- **"Political power grows out of the barrel of a gun"**



Over the decades since, the LWE movement is assessed to have impacted 40 percent of India's territory and 35 percent of its population. In 2016, according to the Ministry of Home Affairs (MHA), 106 districts in 10 states of Andhra Pradesh, Telangana, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Uttar Pradesh and West Bengal, were intensely affected by the LWE movement.

Phases of Naxalism:



The theory and practice of revolutionary warfare has three distinctive phases. These are:

First	Organization, consolidation, and preservation of regional base areas situated in isolated and difficult terrain;
Second	Progressive expansion, which includes attacks on police stations, sabotage, terror tactics, elimination of persons with alternate viewpoints, and procurement of arms and ammunition from the enemy.
Third	Destruction of the enemy through conventional battles including mobile warfare, protracted conflicts, negotiations, and unified command and control structures.

Evolution of Naxalism in India:

First Stage (1967-75)	<ul style="list-style-type: none"> • Incident of Naxalbari • Formation of All India Coordination Committee Of Communist Revolutionaries (AICCCR) • Foundation of CPI Marxist- Leninist (1969) • Arrest of Charu Mujumdar (1972)
Second Stage (1975-2004)	<ul style="list-style-type: none"> • Continued their struggle under the "Strategy of Protracted War". • CPI (ML) converted into People's war group in 1980 • At the same time Moist Communist Centre of India strengthen in Bihar (MCCI)
Third Stage (2004 onwards)	<ul style="list-style-type: none"> • People's War Group combined with Moist Communist Centre of India and Formed CPI (Moist) • CPI (Moist) listed as Terrorist organisation under the unlawful Activities (Prevention) Act since 2009.

Ideologies of AICCCR

- Protracted People's War in accordance with Mao's teachings
- Adopting to Guerrilla warfare techniques
- Establishment of rural revolutionary base areas
- Encircling the cities as well as abstaining from democratic electoral process.

Aims and objectives of LWE and Modus operandi of the Naxalism:

- ❑ It aims to **overthrow the government** through people's war.
- ❑ It creates **conditions for non-functioning of the government** and **actively seeks disruption** of development activities as a means to achieve its objective of 'wresting control'. It spreads fear among the law-abiding citizens.
- ❑ The ultimate objective is to attain political power by violent means and establish what they envisage as "**The Indian People's Democratic Federal Republic**". They attack government symbols like police stations and other establishments.
- ❑ While impeding development works and challenging state authority, the Naxalites **simultaneously try to derive benefit from the overall under-development** and they try to fill the governance gap by providing basic facilities to tribal peoples.

'Police' and 'Public Order' being State subjects, action on maintenance of law and order lies primarily in the domain of the State Governments.

The Naxalite movement prominently focused on major issues like:-

- ❑ Reallocation of land resources;
- ❑ Ensuring minimum wages for the labour working in the farms;
- ❑ Running a parallel government and impose tax and penalties;
- ❑ Run parallel Kangaroo Courts;
- ❑ Destruction of government property and abduct its officials;
- ❑ Attacks on police and law enforcing machinery;
- ❑ Enforce its own social code of conduct .

Frontal Organisations:

- ❑ The Front Organizations are the **off-shoots of the parent Maoist party**, which professes a separate existence to escape legal liability.
- ❑ The Front organizations carry out propaganda/disinformation for the party, recruit 'professional revolutionaries' for the underground movement, raise funds for the insurgency, assist the cadres in legal matters and also provide safe houses and shelters to underground cadres.
- ❑ The functionaries of Front Organizations **provide intellectual veneer** to the inherent violence in the Maoist ideology. In other words, they sanitize the bloodletting, and attempt to make the Maoist world-view palatable to urban audiences and the media. The Front organizations **exist in 20 States of India**.

Guerrilla Warfare

Guerrilla warfare is a form of irregular warfare in which small groups of combatants, such as paramilitary personnel, armed civilians, or irregulars, use military tactics including ambushes, sabotage, raids, petty warfare, hit-and-run tactics, and mobility, to fight a larger and less-mobile traditional military.

Powerful Propaganda Machinery:

Naxalites have their roots spread in media, NGOs, and almost every city of the country. They use powerful Propaganda war against any government step that aims to check the

Naxalite movement. They have a **strong lobby of intellectuals** which continuously shape public opinion in their favour.

Tactical Counter-Offensive Campaign (TCOC)

TCOC is a country-wide phenomenon during which Maoists plan and launch tactical attacks on security forces between April and early monsoon in July. Maoists usually resort to TCOC every year to put security forces in disarray so that they can go on a recruitment drive.

Role of state actor and non-state actor and their link with Naxalism:

- ❑ **The CPI(M) has close fraternal ties with many North-east insurgent groups** especially the RPF/PLA of Manipur and National Socialist Council of Nagaland (**NSCN-IM**) for sourcing arms. Most of these outfits have linkages with external forces inimical to India.
- ❑ The CPI(M) has also shown solidarity with the **terrorist groups of Jammu and Kashmir**.
- ❑ These ties are part of their **“Strategic United Front”** against the Indian state.
- ❑ CPI(M) also has close links with **foreign Maoist organisations**.
- ❑ The **Coordination Committee of Maoist Parties and Organizations of South Asia (CCOMPOSA)** is an umbrella organization of various **South Asian Maoist parties** and movements and its purpose is to coordinate their activities throughout South Asia. Its main aim is resisting not only US imperialism and globalisation, but also the Centralised Indian state and its internal repression of minority people.

Sources of funding and linkage with organised crime:

- ❑ **Loot** government treasuries and banks
- ❑ **Monopolistic control** over the forest produce and government contracts in their areas of dominance.
- ❑ Funding from fraudulent **NGOs** and fake societies.

Connection between the Naxalites and Downtrodden:

- ❑ Maoists ideology tries to **establish people’s government**, while the facts are quite

contrary. Social upliftment of downtrodden is not their real aim, rather it is political power.

- ❑ They **use the local problems as fodder** against the government so that they can seize power through violent means.
- ❑ Maoists have **vested interest in keeping poverty alive** because it enables them to expand their territory.

Factors Responsible for Rise of Naxalism:

Many remote areas of the country still lack basic facilities like roads, water etc and there is no sign of development. These regions are mineral rich regions of the country along with socio-economic problems contributed towards the rise of naxalism in India. **These factors can be broadly categorise as follows:**

Political Factors:	<ul style="list-style-type: none"> • Nature and apathy of the political system towards Tribals remained one of the most important factors that led to such uprisings. • Inability of political authority in India to provide avenues for structural uplift to the deprived sections of society in the affected states. • Lack of political participation by the tribal community.
Economic Factors:	<ul style="list-style-type: none"> • Poverty and economic inequality and underdevelopment in the naxal affected regions. • Entry of mining companies in Tribal lands and forests, posing threat to the livelihood of the tribals. • Indigenous tribal population deprived of their lands, uprooted from their traditional source of livelihood. • The benefits of the resource exploitation are not passed on the tribals.
Environmental Degradation:	<ul style="list-style-type: none"> • Environmental degradation in the form of destruction of land and water resources due to mining and industrial activities.
Lack of basic facilities:	<ul style="list-style-type: none"> • Lack of basic facilities like education, freedom, sanitation and food. • The socially backward tribals form the major support base for Naxalites because of inequality, illiteracy and lack of opportunities.

Governance Deficit:	<ul style="list-style-type: none"> • Lack of routine administration • Incompetent, ill-trained and poorly motivated public personnel • Mismanagement and corruption in govt. schemes • Poor implementation of special laws • Perversion of electoral politics and unsatisfactory working of local govt.
Jal-Jangal-Jameen	<ul style="list-style-type: none"> • Evasion in ceiling laws • Encroachment and occupation of govt and community lands • Non-regularisation of traditional land rights • Land acquisition without appropriate compensation and rehabilitation • Disruption of the age old tribal-forest relationship.

Urban Naxalism:

- ❑ Urban naxalism is also posing a threat. It is an **old Maoists strategy to focus on urban centres** for leadership, organise masses, build a united front and engage in military tasks such as providing personnel, material and infrastructure.
- ❑ Urban naxalism is a product of CPI(M) **“Urban perspective: Our work in urban areas”**. It is aimed to mobilise urban poor like industrial work etc and other like-minded organisations.
- ❑ A **systematic approach** was initiated by the CPI-M to mobilise resources and achieve the following objectives through urban mobilisation, taking advantage of their anonymity in the urban centres:-
 - **Mobilise masses and strengthen organisational structures-** Under this programme, the Maoists mainly targeted students, workers, middle-class employees, and focused on social issues like women’s rights, the grievances of Dalits, and religious minorities and politicised issues in accordance with the communist ideology.
 - **Develop a United Front-** Another component of the above strategy was to unify like-minded organisations of workers, students from urban localities, organisations opposing globalisation, etc and to consolidate them.
 - **Military Task-** The military wings of CPI-M, PGI and PLGA, were to carry out

the military tasks in the rural and least developed regions of the country while the urban Naxals were to complement their efforts by recruiting cadres and sending them into the countryside, infiltrating ‘**enemy**’ ranks, creating unions in crucial industries, sabotaging actions with the support of armed cadres, arranging financial and logistical support for armed cadres hiding in the remote localities, etc.

Government approach towards Naxalism in the country:

- ❑ **The National Policy and Action Plan** implemented by MHA since **2015** is a multi-pronged strategy in the areas of security, development, ensuring rights & entitlement of local communities etc. to combat Left Wing Extremism (LWE).
- ❑ Major Sub- Schemes under Scheme Modernization of Police Forces for 2017-20:
 - **Security Related Expenditure (SRE) Scheme** (approved in 2017): aims at strengthening the capacity of the LWE affected States to fight against the LWE problem in an effective manner.
 - **Special Central Assistance (SCA)** for 35 most LWE affected districts.
 - **Special Infrastructure Scheme (SIS)** including construction of 250 Fortified Police Stations in LWE affected states.
 - **Assistance to Central Agencies** for LWE management Scheme
 - **Civic Action Programme (CAP)** to bridge the gaps between Security Forces and local people through personal interaction.
 - **Media Plan Scheme** to counter the Maoist propaganda

Samadhan

It is a strategy of MHA to frame short term and long-term policies to tackle LWE. It includes:

- S- Smart Leadership
- A- Aggressive Strategy
- M- Motivation and Training
- A- Actionable Intelligence
- D- Dashboard Based KPIs (Key Performance Indicators) and KRAs (Key Result Areas)
- H- Harnessing Technology
- A- Action plan for each Theatre
- N- No access to Financing

- For improving the operational performance of the CAPFs in the LWE affected region, the MHA approved the ***use of cutting edge technology by the CAPFs in LWE theatres, like trackers for weapons, bio-metrics for smart guns and a Unique Identification Number (UID) for gelatine sticks and explosives.***
- ***Infrastructure development initiatives:*** Road Requirement Plan-I (RRP-I) is being implemented by the Ministry of Road Transport & Highways, since 2009 for improving road connectivity in ***34 LWE affected districts of 8 States.***
 - ***Road Connectivity Project for LWE affected areas (RRP-II):*** It was approved in 2016 for further improving road connectivity in 44 districts of 9 LWE affected States. The Ministry of Rural Development (MoRD) is the nodal Ministry for this project.
 - ***LWE Mobile Tower Project*** to improve mobile connectivity in the LWE areas.
 - Approval of Projects under Universal Service Obligation Fund (USOF) supported scheme to provide mobile services in 96 districts of LWE-affected states.
 - ***The National Technical Research Organization (NTRO)*** is assisting the Security Forces in anti-Naxal operations by providing Unmanned Aerial Vehicles (UAVs).
- ***Skill Development related Schemes:***
 - ***ROSHNI Scheme (Ministry of Rural Development)*** is a special initiative under Pandit Deen Dayal Upadhyaya Grameen Kaushalya Yojana which envisages training and placement of rural poor youth from 27 LWE affected districts.
 - ***Skill Development in 34 Districts affected by Left Wing Extremism*** under implementation from 2011-12 aims to establish ITIs and Skill Development Centres in LWE affected districts.
- ***Institutional measures:***
 - ***Black Panther combat force-*** A specialised anti-Naxal combat force for Chhattisgarh on the lines of Greyhounds unit in Telangana and Andhra Pradesh.
 - ***Bastariya Battalion-*** A newly formed battalion of CRPF with more than 534 tribal youth from four highly naxal infested districts of Chhattisgarh along with adequate female representation in sync with the Government's policy of 33% reservation for women making it the first composite battalion in any of paramilitary forces.
 - A process has also been initiated to create a separate vertical in the NIA for investigating important cases relating to Left Wing Extremism (LWE).
 - ***Multi-disciplinary groups to check funding of Naxalites-*** Union ministry of home affairs has formed multi-disciplinary groups with officers from central agencies, including from the IB, NIA, CBI, ED and DRI, and state police to choke the financial flow to Maoists.
- ***Employment Initiatives:*** Along with several infrastructural schemes, the Government of India is also executing several schemes under the ***Pradhan Mantri Kaushal Vikas Yojana (PMKVY)*** that are empowering the citizens with the required skill sets to earn their livelihood. Under this programme 47 Industrial Training Institutes (ITIs) and 68 Skill Development Centres (SDCs) are to be established by March 2019.
- ***Aspirational District Scheme (ADP) of NITI Aayog:*** ADP is based on 49 indicators from the 5 identified thematic areas, which focuses closely on improving people's Health & Nutrition, Education, Agriculture & Water Resources, Financial Inclusion & Skill Development, and Basic Infrastructure.
- ***Surrender and rehabilitation policies:*** State Governments have their own policy, while the Central Government supplements the efforts of the State Governments through the Security Related Expenditure (SRE) Scheme for LWE affected States. Additional incentives are given for surrendering with

weapons/ammunition. The surrenderers are also imparted vocational training with a monthly stipend for a maximum period of 36 months.

- ❑ **Constructively engaging youth through education:** Seeing the success of educational hub and a livelihood centre in Dantewada district, the government has now opened up livelihood centres, known as Livelihood Colleges, in all the districts.
- ❑ **Other measures:** More bank branches have been opened to ensure financial inclusion. All India Radio stations in the three southern districts of Bastar will now broadcast regional programmes to increase entertainment options. And a new rail service in Bastar is set to throw open a new market for wooden artefacts and bell metal.

Successful implementation of various development initiatives **focusing on critical issues of Jal (water), Jamin (land) and Jungle (forest)**, has been perhaps the single most important factor in making it difficult for the LWE movement to attract large numbers of fresh recruits.

Bell curve of insurgency:

Some experts are of the idea that insurgency will follow the Bell curve in Long term. A ringing endorsement of this received wisdom, arguing that insurgencies “follow a pattern pretty much like a bell curve,” ***“The graph of violence,” he argued, “rises in the initial period, producing more and more casualties on both sides. But at some stage the rebels come to the realisation that the state and its people are too strong and resolute to be ever defeated, no matter what the score, in a particular day’s battle in a long war.*** That is the point of inflexion when rebels see reason. There is no reason why the Maoist insurgency will not follow that same pattern.”

Issues in handling LWE:

- ❑ **Negligence** of established Standard Operating Procedures (SOP) at times leads to loss of valuable lives of security personnel.
- ❑ Certain **vulnerabilities** remain such as poor planning, inadequate numbers, insufficient intelligence backup etc.

Reasons for the reversals faced by CRPF in fight against Naxals

- Lack of a common plan across the states
- Lack of coordination between state police and Central forces.
- Inadequate training and combat capability of forces in Maoism affected states.
- Lack of institutionalized intelligence sharing between states and regions.
- Naxalites are well versed with terrain which gives them a substantial upper hand in armed struggle.

- ❑ **Structural deficits and deficiencies** such as putting IPS deputationists into almost every senior position in CRPF ignoring the decades of experience within the Force.
- ❑ **Sluggish Capacity building** of police forces, for example– in Chhattisgarh, there are about 10,000 vacancies in different ranks in state police and 23 sanctioned police stations have yet to be set up.
- ❑ **Laundering of funds:** Naxal leaders operating in Bihar and Jharkhand are laundering extorted money through acquiring movable and immovable assets.
- ❑ LWEs are well trained in **guerrilla warfare**.
- ❑ **Inefficient technology of mine detection:** Present technology is unable to detect deep planted mines under the road.
- ❑ **Delay in acquisition of technology:** For example- Out of the 157 sanctioned MPVs, only 13 have been supplied by OFB to CAPFs so far.

Ways to end Naxalism in India:

- ❑ **Good governance:**
 - The presence of Naxals in the country also reveals the loopholes in the law and order of the country which has failed to curb the menace.
 - Central government needs to implement a coherent national strategy to end Naxalism.
- ❑ **Dialogue:**
 - Dialogues between the Naxal leaders, and the government officials can be a way work out a solution.
 - The government should initiate sincere dialogue with Naxalites.

- ❑ ***Generate more employment and increase wages:***
 - Insecure livelihood and unemployment in the areas have left the people with no option but to join the Naxals.
 - If we are actually thinking of ways to end Naxalism, we'll first have to provide the people of the area with proper employment opportunities with increased wages
- ❑ ***Rehabilitation and resettlement:***
 - mining grounds, irrigation areas, industries, etc., in the area without any provision for the resettlement of the displaced people has only added to the woes of the poor
 - There needs to be more emphasis on rehabilitation of these affected population
- ❑ ***Prevent environmental degradation:***
 - Environmental degradation in the form of destruction of land and water resources due to mining and industrial activities
 - The locals are left with disrupted lives and adversely affecting tourism
- ❑ ***Stop the political marginalization of weaker sections:***
 - Weaker sections of the society, the schedule castes and schedule tribes still face discrimination from the upper class.
 - These downtrodden sections don't enjoy equal participation in casting and contesting politically, making them soft targets of Naxals.
- ❑ ***Remove disparity:***
 - Economic disparity and the growing distance between rich and the poor is one of the main problems that has contributed to the growth of Naxalism
 - This distance needs to be filled to an extent hastily to stop Naxalism
- ❑ ***Let ordinary citizens have access to basic resources:***
 - One of the major reasons for unrest is the exploitation of forest and lands of the tribal people for industrial purposes.

- The loss of land and the lack of basic facilities like education, freedom, sanitation and food

- ❑ ***Take steps for welfare of the tribals:***
 - The socially backward tribals form the major support base for Naxalites because of inequality, illiteracy and lack of opportunities.
 - It's important to prevent these people from falling in the Naxal trap.
- ❑ ***Modernize law enforcement agencies:***
 - The major policing lies in the hands of the state governments
 - At federal level, many agencies are under the command of Union Ministry of Home Affairs
 - Central government must inroads into these disturbed states with their agencies well-equipped with modern artillery and assist the usually poorly-equipped agencies of the state.

Way forward:

Government need to break this vicious cycle and ***convert it into a virtuous cycle of development.***

- ❑ ***Eliminating the root cause of the problem*** that is leading to the alienation of tribals in this area. The focus should now be on building roads, increasing administrative and political access of the tribals, improving reach of government schemes etc.
- ❑ ***Learning from Chhattisgarh police:*** As the Chhattisgarh police have experience in tackling Maoists in Bastar, they are now coordinating with the bordering States to strengthen intelligence and ground presence. Such measures can be taken in new areas as well where Maoists are trying to establish themselves.
- ❑ ***Centre-state cooperation:*** Centre and states should continue with their coordinated efforts where Centre should play a supportive role with state police forces taking the lead.
- ❑ ***Undertaking technological solutions:*** such as use of micro or mini-UAVs or small drones to minimize loss of lives of security personnel.

- ❑ **Psychological operations-Build trust:** Winning a psychological war against the Maoists remains an unfinished task. To bridge this trust deficit, civil society must join hands with the government in realising the villagers' right to development.
- ❑ **Awareness generation:** Government should undertake awareness and outreach programmes and inclusive developmental programmes.
- ❑ **Forest Rights:** Effective implementation of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Rights) Act, 2006.
- ❑ **Financial empowerment:** Introduce measures to encourage formation of 'Self Help Groups' (SHGs) to improve access to credit and marketing and empower the disadvantaged.
- ❑ **Choke funding:** The nexus between illegal mining/forest contractors and transporters and extremists which provides the financial support for the extremist movement needs to be broken through establishment of special anti- extortion and anti-money laundering cells by State Police.
- ❑ **Special efforts are needed to monitor the implementation of constitutional and statutory safeguards,** development schemes and land reforms initiatives for containing discontent among sections vulnerable to the propaganda of violent left extremism.
- ❑ **Infrastructure development:** For implementing large infrastructure projects, particularly road networks that are strongly opposed by the extremists need to be undertaken with the help of specialised Government agencies like the Border Roads Organisation instead of local contractors.

Developmental issues which pertain to the spread of extremism are **linked to lack of access to basic resources** to sustain livelihood. However, development is a **useful tool against extremism** but it must operate in tandem with the security forces.

Factors that lead to extremism:

- ❑ **Forest policy:** In the name of development, habitat of Adivasi communities were declared reserve forests and in accordance with forest conservation act 1980. Rights of primitive forest dwellers were restricted resulting in losing access to land. This gave rise to extremist activities.
- ❑ **Land alienation:** 40% of rural households have no land or less than half of acre of land, increased marginal land holdings, no land reforms, insecurity and exploitation of tenants and unrest leading to extremism.
- ❑ **SEZ:** Land acquisition for SEZ again deprived poor of their lands. Also led to loss of revenue in the form of taxes. Loss of food production as huge block of productive lands acquired for SEZ; major impact in livelihood resource, leading to conflict.
- ❑ **Common property resources (CPR):** CPR's contributes effectively to the rural economy and provides sustenance to local communities. CPR includes such as community pasture, watershed drainages, village tanks etc. But due to industrialisation, privatisation and development projects, the CPRs area is shrinking and govt. never look in to this matter.
- ❑ **Delayed process of adjudication:** Considerable frustration gets built up in the society when conflicts and disputes are not settled in time because of formal and slow judicial system which ends up with illegal extremist mind framework.
- ❑ **Rehabilitation:** Displacement or forced eviction of people occur due to developmental

projects. Tribal people are most prone to displacement because tribal areas are rich in mineral resources such as Orissa, Jharkhand. This impacts multidimensional trauma on them leading to serious consequences.

- ❑ **Unemployment:** High poverty, unemployment and insecurity of livelihood which lead to anger, dissatisfaction amongst youth of extremist affected area.
- ❑ **Environment degradation:** Land targeted for mineral extraction, agriculture land getting barren, water and air pollution degrade the quality of life.
- ❑ Moreover, **tourism industry in this development scenario is posing a great threat to the existing tribal life** which is interwoven with ecology. The introduction of foreign influence and commercialisation is triggering the process of disintegration of tribal society leading to extremist activities.

Developmental solutions to problem of extremism:

- ❑ **PESA, MNREGA,** Scheduled tribes and other traditional forest dwellers acts must be to the spirit of the law. Gram Sabhas must be granted more powers.
- ❑ **Land tribunals or fast track courts** must be set up for speedy disposal of land ceiling cases. The loopholes in the respective state ceiling laws must be corrected.
- ❑ **Government should strengthen the subsidiary** and supportive activities in **horticulture**, poultry, fisheries, **animal husbandry** under the strict guidelines of ministry of agriculture through establishment of quality infrastructure and efficient market linkages at the village level.
- ❑ **Universalise basic social services** to standards amongst the people of extremist affected areas so that the discriminatory manifestations of governance can be removed.

- ❑ Since problems in formulating a **counter-extremist** policy as well as in dealing with the issue on a day-to-day basis are sourced to the lack of centre-state cooperation, a permanent institutional mechanism in the form of a **coordination centre can be established** to thrash out emerging differences.

Other measures required to curb extremism:

- ❑ **Increased developmental expenditure and activities**, creation of infrastructure resources and **employment generation** through development of industries and tourism. Steps from both the public and private sector are required for the desired results.
- ❑ With nearly 99 per cent of its borders shared with other countries, the **Northeast can be a bridge to a most dynamic neighbourhood** beyond the meeting point of South and Southeast Asia. So, we need to **liberalise the cross border trade**.
- ❑ **Improved political representation in India's Parliament**. The collective strength of the Northeast States in the Lok sabha is **24 in a 543 member house**, and this has led to a neglect of issues relating to this region. Bringing the extremists into mainstream can be done as Rajiv Gandhi Govt did it in case of Mizo National front in Mizoram.
- ❑ Restoration and **strengthening of institutions of local self-governance**, including strong village and tribal councils. Restoration of the integrity of governance, and the various institutions of civil governance, including justice administration.
- ❑ **Disruption of the underground economy of terrorism**. The lucrative regime of collusion between terrorists and various overground entities, including political parties, the bureaucracy and business organisations must be challenged and dismantled.
- ❑ **Better surrender policy should be adopted**. Better coordination with neighbouring countries and information exchange regarding extremist's activities is very crucial.
- ❑ **Use of satellite imaging** and drone technology can help in monitoring the extremist activities.
- ❑ There must be active **promotion of a culture of peace** that rejects and de-legitimises political violence as a means to the resolution of political problems or grievances.

The most important aspect of fight against naxalism is **defeating their ideology** and stop their frontal organisation to build tempo or spread propaganda in the country. **Winning the hearts and minds of the tribal population and other marginalised groups** will lie at the core of the counter-insurgency strategy.

Background:

- ❑ After the death of Maharaja Ranjit Singh and defeat of the Sikhs, **Treaty of Lahore** was signed.
- ❑ The treaty was signed by Governor-General Sir Henry Harding on behalf of East India Company.
- ❑ Treaty handed over the territory of the Kashmir to Gulab Singh, since then Kashmir was ruled by the Dogra dynasty.

With coming of Independence:

- ❑ Nearly 77 percent Muslim population ruled by the Hindu king Maharaja Hari Singh.
- ❑ Pluralism and culturally diversity are the hallmark of state.
- ❑ Main regions of state:
 - North part of hill region is dominated by Sunni Muslims.
 - Plains of Jammu dominated by Hindu.
 - Hilly region of Ladakh was dominated by the Buddhist and some Shia Muslims.
 - Region of Gilgit and Baltistan is geopolitically important location shares border with Afghanistan and China slightly populated with Shia Muslims.
 - Sikh can be seen in Jammu as well Kashmir region of the state.

Accession of Jammu and Kashmir:

- ❑ At the time of partition of India and the political integration of India, Hari Singh, the ruler of the state delayed making a decision about the future of his state. Thus, he decided to remain independent by not joint either Pakistan or India.
- ❑ However, an uprising in the western districts of the state followed by an attack by the raiders from neighboring Northwest Frontier Province, supported by Pakistan, forced the Ruler to change his stand.

- ❑ On October 26, 1947, **Hari Singh** acceded to India in return for Indian military being airlifted to Kashmir to engage the Pakistan-supported forces.
- ❑ As per **Instrument of Accession** the subjects like Defence, Foreign Affairs, Finance and communication were given to Indian parliament and rest of the laws need concurrence of state government.
- ❑ After the accession troops of Pakistan were expelled out of the valley by the Indian Troops except the area which is known as **Pakistan occupied Kashmir in India** and **Azad Kashmir in Pakistan**.

State assembly of Jammu and Kashmir:

- ❑ In 1951 constituent assembly of Jammu and Kashmir convened and **assembly reaffirmed the Accession of the state to India** and also prepared the constitution of the state.



- ❑ The constitution of Jammu and Kashmir states that "**the state is and shall be integral part of the Union of India**".

Kashmir and the United Nation:

- ❑ Mountbatten suggested the Government of India to refer the Kashmir problem to the United Nation. UN Intervention in the Kashmir led to ceasefire agreement between the India and Pakistan.

- ❑ The ceasefire Line established is known as the **Line of Control (LOC)**.
- ❑ A UN Military Observer Group in Indian and Pakistan continues to report the violation of ceasefire.
- ❑ UN also passed **a resolution for a referendum** under the supervision of UN after the Pakistan had withdrawn its troops from the Kashmir which is under their control but till today referendum is not happened as Pakistan has refused to withdraw their troops from POK.
- ❑ Since the accession of Kashmir to India, the **tension continues** between both the countries have not died down and this tension resulted into underdevelopment in the region along with instability.

State assembly of Jammu and Kashmir:

- ❑ Since the beginning, Pakistan tried to destabilize the Jammu and Kashmir region by direct military confrontation. Pakistan had suffered heavy losses in every war whether it is **1947, 1965 or 1971**. In 1971 war Pakistan was humiliated as Eastern Pakistan was made separate nation where India played major role.
- ❑ After all these military confrontations Pakistan realized that direct military confrontation with India would be counter-productive.
- ❑ **Pakistan resorted to the tactics of low intensity war and started the separatist and militant insurgency in Kashmir** in the late 1980s in the name of Jihad.
- ❑ Existence of dis-satisfied group of Kashmiri's named **Jammu and Kashmir Liberation Front (JKLF)** was used by Pakistan for insurgency. **Yasin Malik was a leader of JKLF who organized** militancy in Kashmir and demanded the independence of the Jammu and Kashmir but later on Yasin Malik denounced the path of violence and believed in peace talk to resolve the dispute.
- ❑ But with the help of **Pakistan intelligence agency ISI infiltration through the border** led to establishment of new terrorist organization in the valley such as Hizbul Mujahideen, Lashkar-e-taiba, Jaish-e-

Mohammed Harkat-ul- Jihad-e-Islami (Huji), etc.

- ❑ Establishment of these terrorist organizations in the valley resulted **ethnic cleansing which** forced many Kashmiri Pandits to leave the valley and this resulted in **demographic change in the valley**.
- ❑ Pakistan's direct or indirect involvement in the funding and training of terrorist organizations in the Jammu and Kashmir region became major external security threat for India.
- ❑ Along with role of external player i.e. Pakistan the **Indian government failed to fulfill the aspirations of local people, lack of development, militarization of the region, disputed state election of 1987 fuelled the militancy in the valley** which forced some of state legislative members forming armed insurgent groups.
- ❑ So, the Kashmir's present situation is due to both the factors i.e. (internal and external). Lack of development, lack of education and unemployment has made Kashmiri youth easy prey for terrorists' groups. The youth protest during Afzal Guru's execution, sympathy rally for terrorist Burhan Wani shows how deep the radicalization has reached in Kashmir region.

Adoption of irregular warfare in Kashmir by the ISI:

- ❑ **Irregular warfare** consists of tribal warfare, small wars, and low intensity war. This aimed to psychological destruction.
- ❑ The results which **cannot be achieved by direct war** can be shaped by the low intensity war.
- ❑ In Kashmir we can clearly see the **low intensity war front** in the form of armed revolt, Guerrilla warfare, political revolution and war for independence became means of irregular warfare.

Mechanism used for proxy war in Jammu and Kashmir:

- ❑ Propaganda and various malicious campaigns to brainwash the people of valley and create trust deficit towards India.

- ❑ **Infiltration of terrorists** from across the border and affect the ongoing developmental works in the valley.
- ❑ Use of **information technology** in training and recruitment of the terrorists.
- ❑ **Internationalize the issue of Kashmir** at the forums like UN and create an image of India as biased towards a particular religion.
- ❑ **Use of locals for intelligence sharing.** The locals have become eyes and ears of terrorist groups. They provide sensitive information about military installations; base stations and they even provide shelter to these groups.
- ❑ As the Pakistan's role in international forums is diminishing, India has strengthened its relations with foreign countries like USA, France, Israel, Germany, Japan, Australia and even Saudi Arabia and UAE. To avoid collective backlash from these countries, Pakistan has diverted its terrorist attacks on Indian military bases. This can be seen from recent attacks in Pathankot, Uri or attack on military convoys. As the security preparedness of India is strengthened during last few years, attack on military bases to weaken the security system has become new tactic of Pakistan to **bleed India with thousand cuts**.

Kashmir And Human Right Issue

- ❑ Indian armed forces are regularly accused for **human right violation in the valley by various international organisation** like Human Right Watch and Amnesty International.
- ❑ Human right violation in the form of-
 - Extra-judicial executions
 - Disappearance
 - Torture
 - Lack of freedom of speech and expression.
 - Illegal detention under National Security Act.
 - Indiscriminate use of pellet guns.
 - Illegal use of powers under AFSPA.

Reach Of Terrorism In Kashmir

- ❑ The unrest in the valley after the encounter of Hizbul Mujahideen commander Burhan Muzaffar Wani .
 - Mourn by 2,00,000 people during his funeral process.
 - Violent protest started in the valley
 - Shutdown of Kashmir was called by the separatist leaders.
 - Police station and security force personnel were targeted by the mob.
 - Then prime minister of Pakistan called Burhan Wani "martyr".

All these shows how deep is the root of terrorism in Kashmir. Glorifying terrorism and such level of mass support forced central government to rethink on its Kashmir strategy.

Main tactics used by Pakistan is crowd mobilization, defame Indian security forces and internationalise the Kashmir issue.

Shift In Strategy Against The Militancy In The Kashmir

- ❑ **Operation All-out-** it is an anti-Militancy operation launched by the government to establish peace in the valley. In this various terrorist were shortlisted and their information and location were given to the security forces in order to flush them out of Kashmir.
- ❑ After the attack of February 14, 2019 in which more than 40 CRPF soldiers lost their lives in the suicide bomb attack from terror group of jaish-e-mohammed.
- ❑ In wake up of this attack Indian Airforce launched a non-military preemptive attack after getting information about the terrorist camp in region of Balakot. In this attack many terrorist camps were destroyed.
- ❑ This policy of counter attack at such a large level would act as deterrence for terrorists.

Other issues like rehabilitation and resettlement of Kashmir pandits and referendum in the valley

- ❑ The **UN mediated referendum** was supposed to happen immediately after the Pakistan's attack on India in 1947. But the referendum

was never happened as Pakistan never withdrawn its troops from Kashmir region.

- ❑ Since the demography of Jammu and Kashmir has changed over the years and considering the radicalized youth in the region referendum would not be a viable solution, at least in a near future.
- ❑ Three decades are passed since the exodus of Kashmiri Pandits from the region. They are made live like **refugees in their own country**. Their resettlement in the region will become possible only when the region rips the fruits of development and security scenario becomes peaceful.

Issue of human shield

- ❑ In 2017, a person tied to a bonnet of jeep and used as a shield against stone pelters. This event was criticised by human right activists all over the world.
- ❑ Amnesty International described it as inhuman act and amounting to torture and according to Geneva Convention it is war crime.
- ❑ There are points in support and against over using human shield:

In favour-	<ul style="list-style-type: none"> • Using human shield bloodshed can be avoided and unnecessary use of violence can be avoided. • Life of Jawans and unnecessary sacrifices can be avoided.
Against-	<ul style="list-style-type: none"> • Violence of human right and image of army also suffered due to the act. • In fighting militancy or any internal security problem state cannot denied the fundamental right of people.

Security forces can use more humanitarian methods which are more balanced in justice and fairness.

Use of pellet gun:

- ❑ Tear gas, Water cannon, Pepper, pellet guns are common examples of non-lethal crowd control method used by police and army.
- ❑ Pellet guns are made to injure individual. They are effective over a short range of 500 yards but it can be lethal when fired from very short range and can hurt sensitive parts very badly.

- ❑ Human right activists are against the use of pellet guns over the crowd so, less harmful method should be deployed.

TNSV Prasad committee report over the use of the pellet guns:

- ❑ MHA formed committee over the use of pellet guns here are important recommendation:
 1. Pellet guns should be used in rarest of the rare case.
 2. Instead of pellet guns use other non-lethal methods of crowd control like chilli grenade shell, tear gas etc
- ❑ Centre in response of Supreme Court order in which ***S.C order to consider more effective measures the government asked security forces to use Plastic bullet.***

Status of Stone pelting in the valley:

- ❑ It is crowd mobilization method of ISI and supported by the Hurriyat.
- ❑ The incidents of stone pelting were at peak during the 2016-17 after the actions taken by the NIA against Hurriyat leader had brought down the event of stone pelting.

Issue of AFSPA (Covered in separate chapter)

- ❑ AFSPA confers special powers to the armed personnel including unwarranted arrest and search in disturbed areas.
- ❑ This is also controversial in the nature.

Various Initiatives and scheme by the government of India

The government wants to use development as tool against the militancy in Kashmir for that it launched several initiatives:

1. ***UDAAN*** was started with an aim to providing skill to the youth of valley.
2. ***PM's development package for J&K:*** under this government focused over creating the new avenues of employment and better infrastructure in transportation, health, renewable energy, tourism etc.
 - Creating institute like AIIMS, IIT, and IIM construction of tunnel to reduce time lost in travelling.
 - Focus over developing new rail links.
3. ***Project Himayat:*** capacity building and employment of youth.

4. *Project Sadhbhavana*: of Indian army helping the youth in shaping their dream.
5. *Project Umeed*: for empowerment of women.

Present situation of Jammu and Kashmir

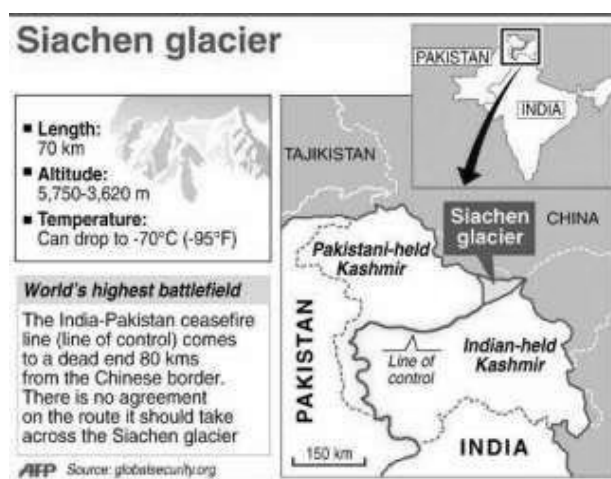
- ❑ The articles which provide special status to the state of Jammu and Kashmir were revoked by presidential order. It abrogated the article 370 and 35A.

MAP OF UT OF JAMMU & KASHMIR AND UT OF LADAKH



- ❑ Now the constitution of India is applicable to the state of Jammu and Kashmir.
- ❑ Reorganization of the state of Jammu and Kashmir into two separate union territories of Jammu and Kashmir (with legislature) and Ladakh without legislature.
- ❑ (*Note*: For special provision refer the polity workbook)

Conflict over Siachen



- ❑ Siachen is a glacier lies in the Karakoram Range there was a military conflict between the Indian and Pakistan after that ceasefire line is established.
- ❑ In 1984 India started "*Operation Meghdoot*" to free it from Pakistani force. It is highest battle ground of the world.
- ❑ Siachen is region which is always in the news due to death of armed personnel due to harsh weather climate.
- ❑ Technology should be deployed in order to bring causality and guarding the borders properly.
- ❑ Note: Issue of Aksai chin is discussed in the chapter of border security.
- ❑ So, a comprehensive policy is need of hour which can bridge the trust deficit in people toward the government.

Introduction:



- ❑ North East India (NEI) today comprises eight states of India, namely Sikkim and the “seven sister states” of Assam, Arunachal Pradesh (ALP), Nagaland, Manipur, Mizoram, Tripura and Meghalaya.
- ❑ North East India (NEI) is bounded by Tibet Autonomous Region (TAR), Nepal, Bhutan, Myanmar and Bangladesh.
- ❑ The region is rich in biodiversity and untapped raw materials. It is connected to mainstream India through the **22 km narrow “Siliguri Corridor” which is commonly known as the chicken neck**. The corridor is flanked by Bhutan, Bangladesh and Nepal. Thus it has strategic, political and economic significance for India.
- ❑ **About 99 percent** of the border of this region is international border.
- ❑ North-East India covers **8 percent of the country’s total area** and has **4 percent of the national population**.

Meaning of Insurgency

Act of rebellion and armed struggle by a section of society with a view to overthrow the government and there is public support for the insurgents.

Historical Background of the North-East:

- ❑ Present day Assam was ruled by the **Ahom kings from 1228 till 1826**. Due to incursion

Pre-Independence Era:

- During the British era, Tribal groups constituted an overwhelming majority of the population in most of the areas they inhabited.
- The British had generally followed a policy of non-interference in these areas.
- The British gave special administrative status to these areas. The British government did not disturb their socio-political structure and followed a deliberate policy of excluding the outsiders.
- Christian missionaries altered the society in the North-East and modern progressive ideas prevailed in the tribal youth.
- A sum total of British policy resulted in isolation of North-East from the rest of India and participation in national independence struggle is also low due to which feeling of nation is not developed strongly.

Post-Independence Era:

- The newly independent India in 1947 had the formidable task of uniting various princely states not only of North-East but of the country as a whole.
- The integration of these distinct cultures of North-East into the “mainstream” was generally met with resentment.
- The insurgencies started with Naga Hills. Under the leadership of Phizo, the Naga National Council (NNC) declared independence from India in 1947. Despite efforts at political settlement by various leaders of that time, the unrest did not die.
- The Tribals of the North-East region were afraid of losing their identity.

by the then Burmese kingdom into Assam, the Ahom kings requested the British East India Company for help.

- ❑ As a result, the British defeated the Burmese and then signed **the Treaty of Yandaboo on 24 Feb 1826 thereby ending the reign of Ahom Kings and amalgamating Assam into British India**. Thereafter, Assam was a province ruled by the British till Independence.

All Party Hill Leaders conference:

- ❑ Representatives of hill areas merged into the All Party Hill Leaders Conference (APHLC) in 1960 and demanded a separate state within the Indian Union.
- ❑ As a result the state of Meghalaya, Manipur and Tripura were granted statehood in 1972.
- ❑ Meanwhile, **secessionist movements** developed in Nagaland and Mizoram. **Nagaland** was granted statehood in 1963, while **Mizoram** became a state in 1987.

Present Situation of North-East Insurgency:

- ❑ Even though the region has seen an **overall decline in insurgency, however, the discontent continues**. At present the scenario is less violent than the earlier times. Some of the important recent developments are covered in the succeeding paras.
- ❑ Lower Assam areas and Karbi Anglong regions are prone to **ethnic and communal tension**.
- ❑ **Mistrust** amongst the Tribals and non Tribals.

Major Insurgent groups of different states of North-East:	
Assam	
(i)	United Liberation Front of Assam (ULFA)
(ii)	National Democratic Front of Bodoland (NDFB)
(iii)	Kamtapur Liberation Organisations (KLO)***
Manipur	
(i)	People's Liberation Army (PLA)
(ii)	United National Liberation Front (UNLF)
(iii)	Peoples' Revolutionary Party of Kangleipak (PREPAK)
(iv)	Kangleipak Communist Party (KCP)
(v)	KangleiyaolkannaLup (KYKL)
(vi)	Manipur Peoples' Liberation Front (MPLF) and
(vii)	Revolutionary Peoples' Front (RPF) and
(viii)	Coordination Committee Cor-com (Conglomerate of six valley base UG outfits).
Meghalaya	
(i)	Hynniewtre National Liberation Council (HNLNC)
(ii)	Garo National Liberation Army (GNLA)***
Tripura	
(i)	All Tripura Tiger Force (ATTF)
(ii)	National Liberation Front of Tripura (NLFT)
Nagaland	
(i)	The National Socialist Council of Nagaland (IsakMuivah) [NSCN (I/M)]

- (ii) The National Socialist Council of Nagaland (Khaplang) [NSCN (K)]**
- (iii) The National Socialist Council of Nagaland (Khole-Kitovi) [NSCN (KK)]
- (iv) The National Socialist Council of Nagaland (Reformation) [NSCN (R)]

* All the militant outfits mentioned above except NSCN/IM, NSCN/KK and NSCN/R, have been decalred 'Unlawful Association' under the Unlawful Activities (Prevention) Act, 1967. In addition, the outfits named above in respect of Assam, Manipur and Tripura have also been listed as 'terrorist organization' in the schedule to the above Act.

** NSCN/K declared as 'Unlawful Association' & terrorist organisation.

*** KLO and GNLA declared only as a 'terrorist organizations'.

Inner Line Permit:

- ❑ An Inner Line Permit is a **document that allows an Indian citizen to visit or stay in a state that is protected under the ILP system**. The system is in force today in **three North-eastern states — Arunachal Pradesh, Nagaland and Mizoram** — and no Indian citizen can visit any of these states unless he or she belongs to that state, nor can he or she overstay beyond the period specified in the ILP.
- ❑ The concept comes from the **colonial era**. Under the **Bengal Eastern Frontier Regulation Act, 1873**, the British framed regulations restricting the entry and regulating the stay of outsiders in designated areas.
- ❑ This was to **protect the Crown's own commercial interests** by preventing **"British subjects" (Indians)** from trading within these regions.
- ❑ In 1950, the Indian government **replaced "British subjects" with "Citizen of India"**. This was to address local concerns about protecting the interests of the indigenous people from outsiders belonging to other Indian states.
- ❑ An ILP is **issued by the state government concerned**. It can be obtained after applying either online or physically. It states the dates of travel and also specifies the particular areas in the state which the ILP holder can travel to.

Factors responsible for insurgency in North-East:

One of the important factors is Funding- Main source of funding are **extortion, arms and drugs smuggling**.

- ❑ **Multi-Ethnic Region** : NE is the **most ethnically diverse region** in India. It is home to **around 40 million** people including 213 of the 635 tribal groups. Each of these tribes is having its own distinct culture. Thus, each tribal sect resents being integrated into mainstream India as it means losing their own distinct identity.
- ❑ **Lack of Economic Development** : GoI's economic policies have also fuelled resentment and insecurity amongst the people. Due to various factors, the development of NEI has lagged behind thereby resulting in lack of employment opportunities. Thus the youth are easily lured by various insurgent groups in order to earn easy money.
- ❑ **Easy availability of Arms and ammunition** from hostile neighbours.
- ❑ **Sense of Isolation, Deprivation and Exploitation** : Distance from New Delhi and meagre representation in the Lok Sabha has further reduced the vox populi being heard in the corridors of powers, leading to more disillusionment in the dialogue process, thereby making call of the gun more attractive.
- ❑ **Demographic Changes** : The **influx of refugees** from **Bangladesh** into Assam led to a dramatic change in the demographic landscape of the region. This led to discontent amongst the people of the region, thereby giving rise to insurgency in Assam with the United National Liberation Front (ULFA), formed on 7 Apr 1979, leading the **mass anti-immigrant agitation**.
- ❑ **Porosity of the border with Myanmar** due to difficult terrain
- ❑ **External Support** : The insurgencies in the NE have been supported by **erstwhile East Pakistan** in the late 1950s; and in early 1960s, in the form of training of personnel of Naga Army and giving them weapons. Later,

China also provided weapons and moral support. The Chinese support for insurgency in India was at a high from 1967-1975 when China's foreign policy advocated the spread of '**revolution**' around the world.



- ❑ **Internal Displacement** : Internal displacement is also an ongoing problem. From the 1990s to the start of 2011, over 800,000 people were forced to flee their homes in episodes of **inter-ethnic violence in western Assam**, along the border between Assam and Meghalaya, and in Tripura. According to conservative estimates, some 76,000 people remain in internal displacement in NE due to the prolonged armed violence.
- ❑ **Proximity to the Golden triangle** ensures funding for separatist/secessionist organisations via support of illegal drug smuggling.
- ❑ Perceived Excesses by Indian Army- The promulgation of Armed Forces Special Powers Act (AFSPA) in most of the NEI has further alienated the local populace. Though imperative for strengthening the hand of IA for CI operations, it is often portrayed as draconian by various Human Rights (HR) organisations and thus has been vilified by various insurgent groups.
- ❑ Instability in Myanmar

State-wise Report Card

Manipur:

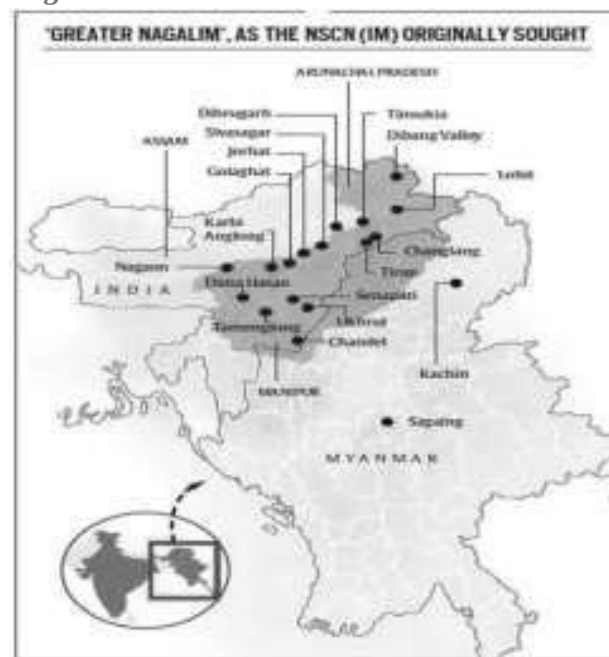


- ❑ Manipur was declared a *separate state in 1972*.
- ❑ The Manipur people are grouped into three communities, **Meitei, Nagas and Kuki or Chins**. Meitei live in plain, while Nagas and kukis are in the hill district.
- ❑ There were many tensions between the different tribal groups in the state.
- ❑ The emergence of insurgency in Manipur is formally traced to the emergence of **the United National Liberation Front (UNLF) in 1964**.
- ❑ Since then several other outfits, like the **People's Liberation Army (PLA) of Manipur, founded in 1978, People's Revolutionary Party of Kangleipak (PREPAK) set up in 1977 and the Kangleipak Communist Party (KCP) that came into being in April, 1980** have emerged in the valley areas consisting of four districts of the State.
- ❑ The situation is further complicated because as, violence by the **Naga groups has also spilled over into Manipur, a substantial part of which is claimed by the Isak-Muivah faction of National Socialist Council of Nagaland (NSCN-IM) as part of Nagalim**

or Greater Nagaland, the proposed unified territory of the Nagas as claimed by the Naga rebels. Several clashes between the NSCN-IM and the Khaplang faction of the National Socialist Council of Nagaland (NSCN-K) have been reported from the hill districts of the State.

- ❑ **Manipur had been declared a 'disturbed area' in its entirety in 1980 and the Armed Forces Special Power Act (AFSPA) 1958 was imposed in the State on 8 September, 1980, which continues to be in place till now.** The implementation of this Act resulted in the State witnessing an unprecedented civic uprising, including the infamous **"mothers' nude protest"** and **Irom Sharmila Hunger strike against the Act**. The AFSPA is still embroiled in controversy and the people of Manipur are continuing their protest against the Act.

Nagaland:



- ❑ The Nagas were the **inhabitants of the Naga hills** along the Northeast frontier on the **Assam-Burma border**. The Nagas are not a single tribe, but an ethnic community that comprises several tribes who live in the state of Nagaland and its neighbourhood.
- ❑ In 1946 came the Naga National Council (NNC), which, under the leadership of Angami Zapu Phizo, declared Nagaland an independent state on August 14, 1947.

- ❑ The first and the most significant insurgency started in Nagaland under the leadership of Phizo in the early 1950.
- ❑ The NNC resolved to establish a “sovereign Naga state” and conducted a “*referendum*” in 1951, in which “**99 percent**” supported an “*independent*” Nagaland.

When did the armed movement begin?

In 1952, Phizo formed the underground **Naga Federal Government (NFG)** and the **Naga Federal Army (NFA)**. The Government of India sent in the Army to crush the insurgency and, in 1958, enacted the **Armed Forces (Special Powers) Act**.

What include Greater Nagaland?

- ❑ A “Greater Nagalim” comprising “**all contiguous Naga-inhabited areas**”, along with Nagaland. That included several districts of Assam, Arunachal and Manipur, as also a large tract of Myanmar.
- ❑ The map of “Greater Nagalim” has about 1,20,000 sq km, while the state of Nagaland consists of 16,527 sq km. The claims have always kept Assam, Manipur and Arunachal Pradesh wary of a peace settlement that might affect their territories.
- ❑ The Nagaland Assembly has endorsed the ‘Greater Nagalim’ demand- “**Integration of all Naga Inhabited contiguous areas under one administrative umbrella**”- as many as five times: in December 1964, August 1970, September 1994, December 2003 and as recently as on July 27, 2015.

Nationalist Socialist Council of Nagaland (NSCN):

- ❑ The outfit **aims to establish a ‘Greater Nagaland’** (‘Nagalim’ or the People’s Republic of Nagaland) based on **Mao Tse Tung’s ideology**. Its manifesto is based on the principle of Socialism for economic development and a spiritual outlook- ‘Nagaland for Christ’.
- ❑ The National Socialist Council of Nagaland (NSCN) was formed on January 31, 1980 by Isak Chisi Swu, Thuingaleng Muivah and S.S. Khaplang to **opposed the ‘Shillong Accord’** signed by the then NNC (Naga National

Council) with the Indian government. Later, differences surfaced within the outfit over the issue of commencing a dialogue process with the Indian Government and on April 30, 1988, the NSCN split into two factions, namely the NSCN-K led by S S Khaplang, and the NSCN-IM, led by Isak Chisi Swu and Thuingaleng Muivah.

Peace efforts:

1. Nine Point Agreement:
 - Signed by the governor of Assam and Naga leaders on June 26, 1947.
 - Under this agreement it was decided that the Nagas would be granted judicial, executive, and legislative powers, as well as autonomy in land related matters.
 - There was a 10 year guarantee of these provisions at the end of which the Nagas could choose between extending the agreement or a new agreement.
 - The Naga leaders were also promised unification of Naga territories from nearby districts into the Naga hill district.
 - However, the constituent Assembly refused to ratify this accord.
2. Sixteen-point Agreement with the Naga People’s Convention of 1960.
3. Shillong Accord of 1975.
4. Naga Peace Accord 2015:
 - Nagaland peace accord is the accord signed in August 2015 by the Government of India and the National Socialist Council of Nagaland (NSCN) to end the insurgency.
 - The framework agreement is based on the “**unique**” history of Nagas and recognises the universal principle that in a democracy sovereignty lies with the people.
 - National Socialist Council of Nagaland (NSCN) has given up its demand for ‘Greater Nagaland’ and vowed allegiance to the constitution of India. The details of the accord are yet to come in public domain.
 - The Government of India has also made clear that existing boundaries of states will not be altered.

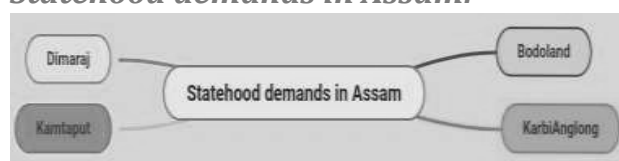
- It will restore peace and pave the way for prosperity in the North East.
- It will advance a life of dignity, opportunity and equity for the Naga people, based on their genius and consistent with the uniqueness of the Naga people and their culture and traditions.
- The Government of India recognized the unique history, culture and position of the Nagas and their sentiments and aspirations. The NSCN understood and appreciated the Indian political system and governance.

The Nagas peace accord has been hanging fire since a framework agreement was signed with NSCN-IM in 2015. Naga groups even carried out a rally in Delhi demanding early finalisation of Naga Peace Accord.

Assam:

- In Assam the **problem began in 1979**, the indigenous people of Assam demanded that illegal immigrants who had emigrated from Bangladesh to Assam be detected and deported. The movement led by **All Assam Students Union** began non-violently with satyagraha, boycotts, picketing and courting arrest.
- The Election in 1983 was opposed by the movement's leaders. The election led to widespread violence. The movement finally ended after an agreement with the central government on August 15, 1985.
- Under the provisions of this accord, anyone who entered the state illegally between January 1966 and March 1971 was allowed to remain but was disenfranchised for 10 years, while those who entered after 1971 face expulsion.

Statehood demands in Assam:



- General reasons behind their demand of separate statehood:
- To preserve and promote their ethnic identity

- For better benefits economic development in backward areas
- To ensure control over natural resources like land

Emergence of Insurgency:

- The **United Liberation Front of Assam (ULFA)**, an insurgent group, was formed in 1979 and marked the beginning of insurgency in Assam. The main aim of ULFA was to **"liberate Assam through armed struggle from the exploitative attitude of the central government towards Assam and establish a sovereign independent Assam."**
- The group **remained dormant** during the Assam movement; however, it supported the Assam movement. The Assam movement was against the illegal migrants. ULFA also raised the similar issue, which gained popularity and acceptability of the common population.

Profile of Insurgent Groups :

- Various insurgent groups and organizations have emerged and are active in Assam due to the **fear of imposition of cultural and geographical imperialism and domination** as well as increasing levels of economic and political competition.
- This has **resulted in frequent violence** in the state among ethnic groups. Partly, these factors are also responsible for the rise of different insurgent outfits in the state. The insurgent outfits began to grow in the state on the ground of ethnicity, religious and cultural split.
- The cultures of violence propagated by the **ULFA** and the **Bodo outfits** have set up a pattern for a number of copycat insurgents groups in the Northeast region. **As many as 34 insurgent groups have been operating in the state.**
- Amongst all the groups, the United Liberation Front of Assam (ULFA), the National Democratic Front of Bodoland (NDFB), United People's Democratic Solidarity (UPDS), Dima Halim Daoga (DHD), Muslim United Liberation Tigers of Assam (MULTA) and Muslim United Liberation Front of Assam (MLUFA) are the major insurgent

groups. The ULFA operates mainly in the upper Assam whereas NDFB operates in the Bodo-areas of North and North West river of Brahmaputra.

1. *Bodoland:*



- ❑ Bodos, the largest plains tribe of Assam started an armed struggle for a separate state in the mid-1980s. This armed struggle led to ethnic cleansing of the non-bodos along the north bank of Brahmaputra.
- ❑ Bodoland Movement for an independent state of Bodoland started on March 2, 1987 under the leadership of Upendranath Brahma of the All Bodo Students' Union (ABSU).

The Bodoland Territorial Council (BTC):

- ❑ BTC has **legislative, administrative, executive and financial powers over 40 policy areas** in the Bodoland Territorial Areas Districts comprising four districts (Kokrajhar, Baksa, Chirang and Udalguri) of Assam.
- ❑ It was established in 2003 following a peace agreement between the Government of India and Bodo rebels and has been functioning since 2003 under the provision of the Sixth Schedule of the Constitution of India.

National Democratic Front of Bodoland:

- ❑ NDFB (Songjit faction) had turned up the fire in Assam in the year 2014, December by attacking districts of Sonitpur and Kokrajhar, killing nearly 78 and leaving many seriously injured.
- ❑ It appears that this carnage started in retaliation to the death of three NDFB (S) cadres during a counter-insurgency operation conducted by the Mahar Regiment on December 21 against the outfit's camp in the Chirang District along the Assam-Bhutan border.

2. *bi Anglong:*



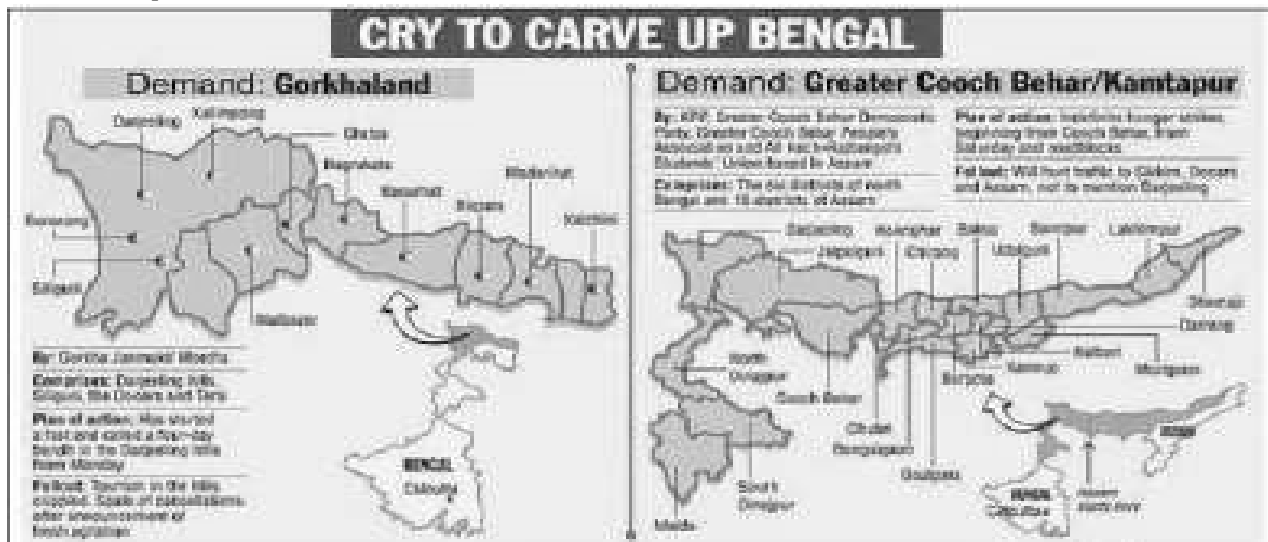
- ❑ Government has created Autonomous hill districts of Assam in Mikir hills region of Assam.
- ❑ A separate state of Karbi Anglong (Homeland) is being made by people of Karbi tribe.
- ❑ Karbi Anglong district is the largest amongst the 27 administrative districts of Assam
- ❑ In 2006- Indian government named Karbi Anglong one of the country's 250 most backward districts

3. *Dimaraji:*



- ❑ Dimsa people demanding a separate state called Dimaraji or "Dimaland" comprise the Dimasa inhabited Areas which spreads in part of Assam and Nagaland.
 1. Dima Hasao district,
 2. Parts of Cachar district,
 3. Parts of Nagaon district and
 4. Karbi Anglong district in Assam together with
 5. Part of Dimapur district in Nagaland
- ❑ Government had given autonomy by forming the "The Dima Hasao Autonomous Council" (DHAC) in response to the demands.

4. Kamtapur:



- ❑ They do not have an autonomous council like bodos.
- ❑ Kamtapur = some districts of West Bengal + districts of Assam.
- ❑ Areas demanded under Kamatapur also overlap the areas which were demanded under the statehood of Gorkhaland in West Bengal.

Issue of NRC:

- ❑ Bangladeshi immigrants had affected the demographic of Assam.
- ❑ NRC is an exercise first carried out 1951 to enumerate the citizens, their houses and holdings. It is an official record of all the legal citizens of a state in respect of each village showing the houses or holdings in a serial order and indicating against each house or holding the number and names of persons staying therein. Over the years there has been a demand from the indigenous Assamese groups to update the NRC.

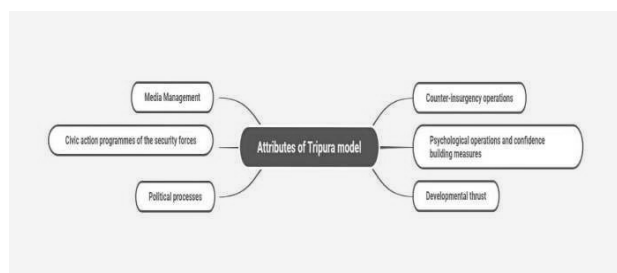
Tripura:



- ❑ The state of Tripura **witnessed a surge in terrorist activities in the 1990s**. The main reason was the influx of refugees from the newly formed Bangladesh.
- ❑ **Influx of refugees** fuelled discontent and demographic inversion in Tripura.
- ❑ This led to insurgent activities in the state of Tripura and the formation of the Tripura Upajati Juba Samiti (TUJS) in 1971, followed by the Tripura National Volunteers (TNV) in 1981.
- ❑ The **National Liberation Front of Tripura (NLFT)** was formed on March 2, 1989 and its armed wing, the National Holy Army and All Tripura Tiger Force (ATTF), in July 1990, queered the pitch.
- ❑ But today Tripura is **one of the successful states in curbing insurgency** in the state.

Famous Tripura model:

A multidimensional and fine-tuned solution provided by the government of Tripura. Following are the attributes of Tripura model-Working on all these multiple fronts Tripura succeeded in fighting against the insurgency.



Meghalaya:



- ❑ Meghalaya formed a full-fledged state in 1972 out of the state of Assam, with an aim to address the unique needs of the major tribes in the region: **the Garos, the Jaintias and the Khasis**.
- ❑ Meghalaya is perhaps the least affected by insurgency in the North-East.
- ❑ Main tension in the state is due conflict between the tribal and non-tribal settlers, identity issues and growing corruption along with change in demographic composition due to influx of illegal migrants from Bangladesh.
- ❑ This led to formation of various insurgent groups- **Garo National Liberation Army (GNLA), Achik National**

Volunteer Council (ANVC), and Hynniewtrep National Liberation Council (HNLC).

Garo National Liberation Army (GNLA):

- ❑ It was formed in 2009- Aims to establish a **separate Garoland** for the Garo people.
- ❑ It sustains by extortions and smuggling activities which can be contained with better deployment of the available force and with support from the local people.

Achik National Volunteer council (ANVC):

- ❑ ANVC formed in 1995 with the intention of forming an Achik land in the Garo hills. But as now it suspended its operation due agreement with the government in 2004.

Hynniewtrep National Liberation Council (HNLC):

- ❑ It is a militant organization operating in Meghalaya, India formed in 1992.

- ❑ It claims to be a representative of the Khasi-Jaintia tribal people, and its aim is to free Meghalaya from the alleged domination of the Garos and the non-tribal outsiders.

Garo Hills Liberation Army formed by deserting police personnel, have been launching guerrilla attacks against police and army.

Kidnapping and ransoms have become a norm in the western districts of the state. Along with the state lies in a major smuggling route between Bangladesh and India.

Arunachal Pradesh:

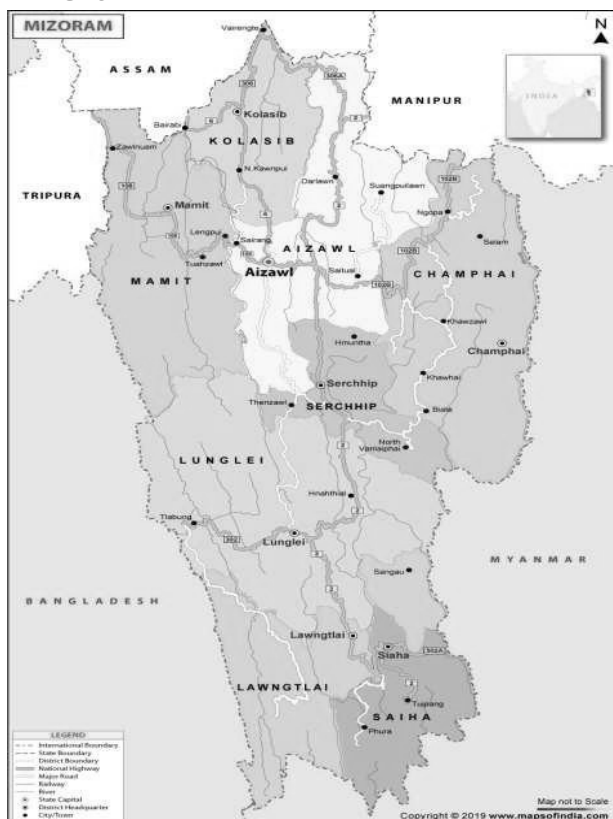


- ❑ Eastern most state of India. Problem of insurgency in this state can be seen in the continuum of Nagaland. NSCN-IM sees three districts of state namely Tirap, Changlang and Longding as part of Nagalim.
- ❑ **Insurgent groups use districts of state for transit camps** and a strong presence of ULFA-I can be seen. During **counter insurgency operations insurgents use state to reach their base camp in Myanmar**.
- ❑ **Emerging concern is the presence of the CPI-Maoist cadres** in Lohit and Lower Dibang valley.
- ❑ **Presence of strong Chakma and Hajong refugees** in Arunachal Pradesh and along with an influx of other outsiders have also raised concerns among the locals from time to time.
- ❑ Kidnapping and extortion by members of NSCN had created an environment of fear in the district of Tirap and Changlang.

Impact of insurgency

- Every government employee and businessman in Tirap is forced to pay nearly twenty-five per cent of his gross income as a tax for the Republic of Nagalim. In the districts of Tirap and Changlang, branches of the State Bank of India have been shut down after they were served with extortion notes by the NSCN-K.
- In 2001, the operations of the Oil India Limited in Changlang district were brought to a halt after the NSCN-IM demanded an amount of Rs. 60 lakhs (US\$ 125,000). The oil major had to pull out 130 of its technical staff from the area.
- Overall development activity suffers and no new project is established in the state which led to economic backwardness in the state.

Mizoram:



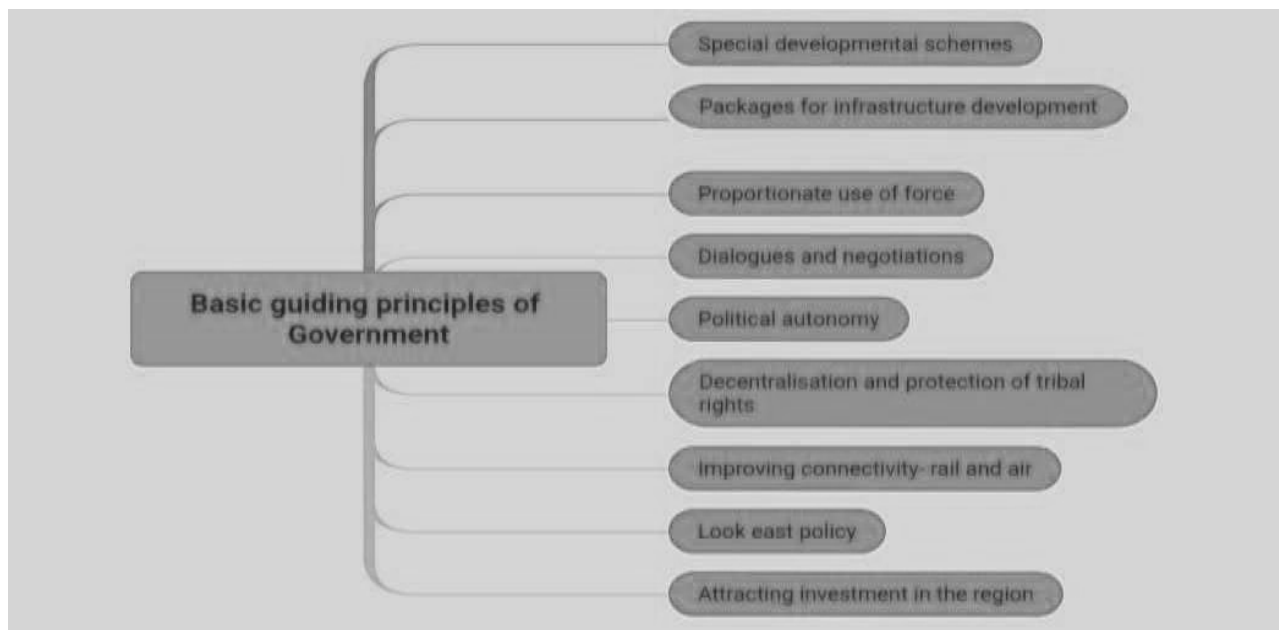
- The Mizo National Famine Front dropped the word 'Famine' and a new political organization, the **Mizo National Front (MNF)** was born on 22nd October 1961 under the leadership of Laldenga with the specified goal of achieving sovereign independence of Greater Mizoram. Large scale disturbances broke out on 28th February 1966 government installations at Aizawl, Lunglei, Chawngte, Chhimluang and other places simultaneously.

- While **the MNF took to violence to secure its goal of establishing a sovereign land, other political forces in the hills of Assam were striving for a separate state.** The search for a political solution to the problems facing the hill regions in Assam continued.
- The **Mizo National Front was outlawed in 1967.** The demand for statehood has gained fresh momentum. A Mizo District Council delegation, which met prime Minister Mrs Indira Gandhi in May 1971 demanded a full-fledged state for the Mizos. The union government on its own offered the proposal of turning Mizo Hills into a Union Territory in July 1971. The Mizo leaders were ready to accept the offer on condition into Union Territory in July 1971. The Mizo leaders were ready to accept the offer on condition that the status of U.T would be upgraded to statehood sooner rather than later. The Union Territory of Mizoram came into being on 21st January, 1972. Mizoram got two seats in Parliament, one each in the Lok Sabha and in the Rajya Sabha.
- **In June 1986, the centre signed a peace agreement with Laldenga,** leader of the Mizo National Front (MNF). By its terms, the MNF rebels laid down their arms and were granted amnesty against prosecution. The government granted full statehood to Mizoram.
- Among the ethnic and secessionist conflicts, the resolution of the Mizoram issue was a notable success.

Government steps:

The government followed the **composite strategy** to deal with the situation in the North-East.

- The centre has **steadily pursued the policy of talks/ negotiations with any outfit**, which is ready to forego the path of violence and come forward for peace talks within the constitutional framework of India.



Some major initiatives taken for North-East:

- ❑ Border Area development Project
- ❑ Hill Area Development Programme
- ❑ **Constitutional protection in Sixth Schedule** which protected not only the tribal laws, customs and land rights; but also gave sufficient autonomy to the tribes to administer themselves with minimum outside interference.
- ❑ **Protected Area Permit:** Due to security reasons, certain areas have been declared as Protected Area/Restricted Areas where no foreigner can enter or stay without obtaining permit from the competent authorities.
- ❑ Engagement with the governments at regional level so that development in the region can be assured.
- ❑ **Act East Policy :** India's 'Act East' policy is a diplomatic initiative to promote economic, strategic and cultural relations with the vast Asia-Pacific region at different levels. The country's eastward drive since 1992 has underscored the importance of this region in its contemporary international relations. 'Act East' and its early avatar, 'Look East' are not different; rather, they are two sides of the same coin, representing two different, but continuing phases in the evolution of India's policy towards the Asia-Pacific region.

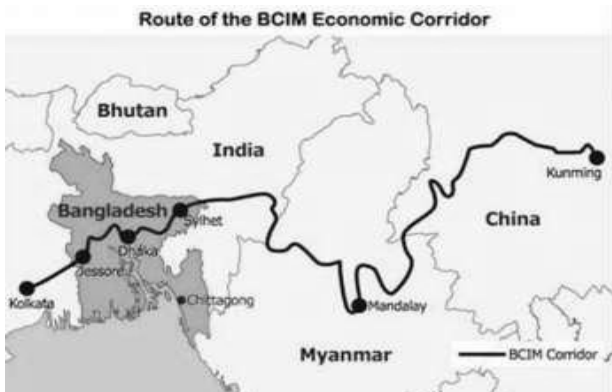
- ❑ **National Waterway 2** is a section of the Brahmaputra River having a length of 891 km between the Bangladesh border near Dhubri and Sadiya in Assam.
- ❑ Development of **Railways and Airports** in the North-East region.

Various development projects in North-East with the involvement of other countries:



- ❑ **Trilateral Highway: India-Myanmar-Thailand (IMT)-** The works on both these sections were awarded on Engineering, Procurement and Construction (EPC) mode in May 2018. The 1360 kms long India-Myanmar- Thailand Trilateral Highway is an initiative pertaining to India, Myanmar and Thailand.
- ❑ Kaladan Project-

- Kaladan Multimodal Transit Transport Project involving India and Myanmar is very important for connecting the North East and Myanmar. This is part of India's '**Look East policy**' connecting north eastern States and the ASEAN region.
- There is a framework agreement between India and Myanmar signed in 2008, to help in facilitating the implementation of the Kaladan Multimodal Transit Transport Project.



- India is also involved in developing the **Sittwe Port in Myanmar** which is expected to emerge as the most strategic overseas port for India and is located at the estuary of Kaladan River which is in the troubled Rakhine province of Myanmar.
- India has already constructed an inland water transport jetty at Sittwe and also a container terminal is expected to come up later.



- **Bangladesh-China-India-Myanmar (BCIM) Corridor:** The 2800 km BCIM corridor proposes to link Kunming in China's Yunnan province with Kolkata, passing through cities such as Mandalay in Myanmar and Dhaka in Bangladesh and finally to Kolkata.
- Rail link from Agartala-Akhaura:
 - The rail line between Agartala in Tripura and Akhaura in Bangladesh would pave the way for the first train to run from the north-eastern region to Bangladesh.
 - The historical Agartala-Akhaura railway line to connect the north-eastern region with Bangladesh is expected to be ready by the end of 2021

Security Cooperation With Neighbouring Countries:

- **The Myanmar government handed over at least 22 militants** of north-eastern armed groups to India, thus becoming the third neighbouring country to act against the Indian frontier region's **insurgents**.
- **The Royal Bhutan Army had conducted an 'Operation All Clear'** to flush out camps set up on its soil by north-eastern armed groups, including the United Liberation Front of Asom (ULFA) at the Indian government's request, the Bangladesh government-between 2009 and 2015- had handed over the top leaders of ULFA (barring Paresh Barua) and the National Democratic Front of Bodoland (NDFB), forcing them to come to the table for peace talks.
- **The armies of India and Myanmar have launched two phases of joint operations along the Myanmar border targeting camps of insurgent groups operating in North East. Named Operation Sunrise**, the strategy is aimed at hitting militant groups that are impacting both India and Myanmar

North-East Insurgency and its link with Foreign entity:

- India's Northeast is **one of South Asia's hottest trouble spots**, not simply because the region has as many as 30 armed insurgent organizations operating and fighting the Indian state, but because **trans-border linkages** that these groups have,

and **strategic alliances** among them, have acted as force multipliers and have made the conflict dynamics all the more intricate.

- ❑ With **demands of these insurgent groups ranging from secession to autonomy and the right to self-determination**, and a plethora of ethnic groups clamouring for special rights and the protection of their distinct identity, the region is bound to be a turbulent one.
- ❑ Moreover, the location of the eight north-eastern Indian States itself is part of the reason why it has always been a hotbed of militancy with trans-border ramifications. This region of 263,000 square kilometres with 3 **highly porous and sensitive frontiers** with China in the North, Myanmar in the East, Bangladesh in the South West and Bhutan to the North West.
- ❑ The region's strategic location is underlined by the fact that it shares a **4,500 km-long international border with its four South Asian neighbours**, but is connected to the Indian mainland by a tenuous 22 km-long land corridor passing through Siliguri in the eastern State of West Bengal, appropriately described as the '**Chicken's Neck**.'

Free Movement Regime (FMR):

- ❑ The Free Movement Regime is a **unique travel arrangement between India and Myanmar**.
- ❑ FMR permits the tribes residing along the border to travel 16-km across the boundary without visa restrictions.
- ❑ The FMR helps tribes across the border to maintain their age-old ties.
- ❑ Free movement regime is **being misused by militants and trans-border criminals** who smuggle weapons, contraband goods and fake Indian currency. Taking benefit of free movement regime occasionally they enter India, commit crimes and escape to their relatively safer hideouts.

Rohingyas And North-East-

- ❑ The Rohingya conflict is **one of the longest conflicts** between the majority Buddhist

Burmese and the minority Muslims in Myanmar.

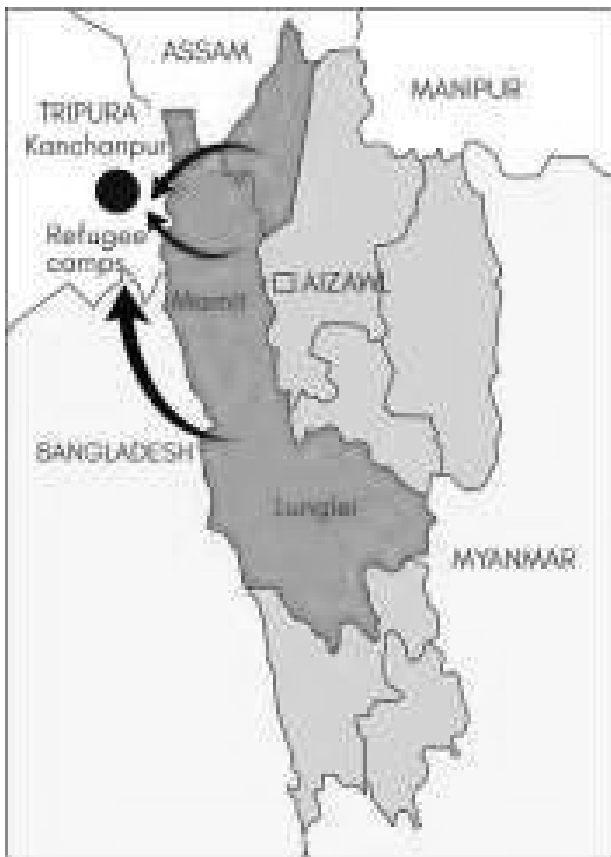
- ❑ It has led to the displacement of a large number of people across the Myanmar-Bangladesh border, especially from the Rakhine state.
- ❑ The tragic aspect of this issue is that **about 800,000 Rohingyas in Myanmar are stateless people**. They are not recognised as an ethnic indigenous minority or citizens of Myanmar. Bangladesh, which has a 271 km long border with Myanmar, houses nearly 300,000 Rohingya refugees, especially in Cox Bazar.
- ❑ Many of these refugees are without jobs and could fall prey to **radical ideologies**. They may join the Harkat-ul- Jihadi Islam (HuJI) which has been accused of carrying out bomb blasts in Assam.
- ❑ Another aspect could be the **fear of a major spill over of the conflict into India's north-east in terms of refugee flow** from across the porous Bangladesh-India border. The north-east is a region plagued by armed ethnic conflicts based on issues of land and identity. Further inroads by a refugee population could exacerbate the situation in the north-east.

Bru Refugee Crisis:

- ❑ A **four-party agreement** among the **Centre, Mizoram government, Tripura government, and leaders of Bru** community was signed to end the 23-year old Bru-Reang refugee crisis.
- ❑ The Bru community, also **referred to as Reangs**, resides in Mizoram, Tripura, and parts of southern Assam, and is

ethnically distinct from the Mizos of Mizoram.

- ❑ There are over 40,000 Brus living in four districts of Mizoram. At present, **over 30000 Brus are living in the refugee camps in Tripura** after they fled Mizoram following ethnic clashes with the Mizo tribes in 1997.



- ❑ The **first signs of conflict** between the two communities emerged in 1995 when Mizo organizations- the Young Mizo Association and the Mizo Students' Association- **demand that Brus be left out of the Mizoram's electoral rolls** as they were not an indigenous tribe.
- ❑ The Brus retaliated by forming an armed organization, Bru National Liberation Front, and a political body, Bru National Union. The two demanded more political autonomy for Mizoram's Brus and a **Bru Autonomous District Council (ADC) under the Sixth Schedule** of the Constitution.
- ❑ In 1997, following ethnic tension over an incident in Mizoram, **around 5,000 families comprising over 30,000 Bru tribals were forced to flee the state and seek shelter in Tripura.**

Efforts made by the Union Government

- ❑ **Since 2010**, the Union government has been assisting the two State governments for taking care of the refugees. Till 2014, 1622 Bru-Reang families returned to Mizoram in different batches.

- ❑ In 2018, **an agreement was signed between the Union government, the two State governments and representatives of Bru-Reang refugees**, as a result of which the aid given to these families was increased substantially.
- ❑ Subsequently, 328 families comprising of 1369 individuals returned to Mizoram under the agreement. But there had been a **sustained demand of most Bru-Reang families that they may be allowed to settle down in Tripura**, considering their apprehensions about their security.

Challenges Remained:

- ❑ It is **doubtful** whether the land that is allocated to **Brus in Tripura will be accepted by the domicile tribes in Tripura.**
- ❑ Till the pact, the Tripura Government was eager to repatriate the Brus to Mizoram. As the new pact settles the Brus in Tripura, it needs a **lot of political will from Tripura to implement welfare programmes for the Brus.**
- ❑ The existing Bru families in Mizoram are **still opposed** by some ethnic organizations of Mizoram, which might trigger another exodus if there is no settlement at the place of the conflict.

Steps Required:

- ❑ **NEC as forum:** The North Eastern council (NEC), having the Governors and Chief Ministers of the North Eastern states as its members, can provide a common forum for discussing security aspects in a comprehensive manner.
- ❑ **Primacy of political goals:** It involves planning, preparation and execution of counter-insurgency within political framework. The role of the military in flushing out insurgents from certain areas is considered to be a supportive role. For instance, British, U.S. and Indian military forces have signified the importance of the military. However, citing the cases of Mizoram and Assam, Dr. Goswami emphasises on the importance of political goals. In the paper, she has pointed out how the Mizo National Front (MNF) became a platform to express

against the heavy response of the Indian military. It was during the strong political leadership of Pu Laldenga of MNF that the Mizo conflict was resolved in 1987 through staunch negotiations.

- ❑ ***Centre of gravity-population:*** Insurgent groups aim to persuade the population by utilizing the strategy of coercion and intimidation to generate support for their political cause. While countering these insurgency groups, the operation of the armed forces should be carried out in a civilian landscape, not in military camps, and the counter-insurgency forces need to know that such operations are people-centric operation. For this, there are certain practical ways of gaining support of the population, namely, having day to day contacts with the population, organising collective work, identify local cells of the insurgent, prevent too much movement, and finally provide security to the population. Besides this, there is also a need to gather information on three different types of population in any insurgency-affected areas, namely, minority support base for the insurgent; a passive neutral majority; and a minority which is against the insurgency.
- ❑ ***Counter-propaganda:*** the insurgency groups intend to impose control over the population. These groups aim to win over the people by propagating their political cause, often by promising them better political empowerment, better economic status, better security etc. Such propaganda appears an easy task to the insurgency groups as they do not have to deliver any of those promised goals in the near term. However, countering such propaganda remains an arduous task for the counter-insurgency forces. For this, the strategy for counter-propaganda should be focused on exposing the weakness and false promises made by the insurgents. This strategy can only be materialized by 'by obtaining the neutrality of the population, visible presence of counter-insurgent forces to provide security, establishing the authority of the state by providing basic needs, propaganda

directed at insurgent rank and file, followed by an effective surrender policy'.

- ❑ ***Resolute leadership:*** In order to carry out a successful operation, the involved leader must possess a clear conceptual understanding of the mission. For this, he or she should have a thoughtful understanding of the nature of the problem. The leadership should exhibit 'resoluteness, act in an ethical manner and always keep the national priorities and goals in clear perspective'. His or her leadership qualities should also be shown at all levels, and the leader should be able to synchronise with various agencies with the aim of protecting the population and instilling in them a sense of security.
- ❑ ***Intelligence:*** This is one of the most important counter-insurgency measures. The absence of thorough and specific intelligence would only make the counter-insurgency operations ineffective. For this, the commander needs to form a sound intelligence network with the involvement of intelligent staffs possessing a 'clear understanding of the operational environment, physical geography, the external influence, role of media and internet'. Means through which intelligence can be gathered are: lines of communication, belief systems, values, identity, culture, social norms, grievances, insurgent strength and vulnerabilities, safe havens, insurgent intelligence network, etc. Intelligence should be used to understand the root causes of the insurgency.
- ❑ ***Unity of effort:*** There needs to be an integrated approach in counter-insurgency. This involves 'showcasing of administrative capacities, economic resources, propaganda, military superiority and the like'. Operations in such cases should be guided by a single strategic narrative that is visible across all lines of operation. This practice involves the coordination of political, social, economic and the military aspects of the counter-insurgency. The author specifies the roles of politicians, bureaucrats, army, police, local leaders, NGOs and media. A successful unity of effort can be achieved if there is a single command and coordination centre.

Furthermore, civil-military relations are also important in this context.

- ❑ ***Appropriate 'military' force structures:*** It is important that the force is used to its minimum. This is because operations should aim to neutralise insurgents and not eliminate them. Also, minimum force should be used in order to reduce the fear that civilian population experiences due to the heavy presence of armed forces. The force structure should be able to respond to given context even though it is a small operation team.
- ❑ ***Rule of law:*** The counter-insurgent forces need to act according to certain accepted rules of law. Any operation in a given region should be within the framework of a legal mandate and conduct must meet the highest legal standards. With such rules, the involved forces can avoid any disproportionate use of force. This will not breed alienation amongst the civilians. Forces have to be briefed about the rules of engagement with regard to arrests, searches, warrants, interrogation techniques, intelligence gathering by issuing a Standard Operating Procedure. Acts such as the Armed Forces (Special Powers) Act of 1958 amended in 1972 are perceived by the common people as neutralising their fundamental rights granted by the Indian Constitution. It is difficult to control the population under distress and the state must offer its people 'a good deal working within the rule of law' in order to isolate the insurgents.

- ❑ ***Operational clarity:*** It is important to have clarity of purpose in any counter-insurgency operation. There has to be a unified command structure with only a single direction. The political aims should also be crystal clear. Further, the armed forces should clearly map the conflict zones. Involved forces must be clear about their allocated tasks, and short and long term targets. For all these, the most significant clarity is that the forces should be very clear that these operations must be people friendly ones. Challenges with reference to clarity of operations arise due to prevalence of multiple levels of decision makers in the insurgency-affected states like in the North East.

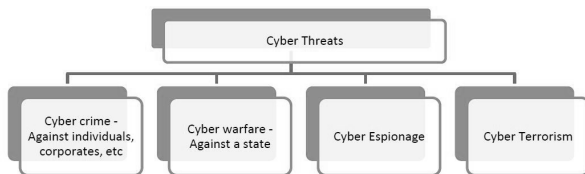
- ❑ Learning from the Tripura model of counter insurgency.
- ❑ Optimum coordination between all the levels of government, security forces and media houses.
- ❑ Coping up with the regional aspirations.
- ❑ Improving administrative efficiency
- ❑ Enhance communication and connectivity
- ❑ Stringent law and fast criminal justice system for quick disposal of insurgents attack cases.
- ❑ Decentralization with alertness
- ❑ Improving administrative efficiency,
- ❑ Pro-people governance

The fruit of development along with winning the trust and building the confidence of people of the North-East is key to bring peace, prosperity in the region.

Cybersecurity:

Definition: Cybersecurity or information technology security are the techniques of protecting computers, networks, programs, and data from unauthorized access or attacks that are aimed for exploitation.

Cybersecurity is a complex issue that includes multiple domains. It is different from the other traditional security challenges due to its diffused nature and varied nature of the threats and the inability to frame an adequate response in the absence of tangible perpetrators.



Cyber Crime	"Any unlawful act where computer or communication device or computer network is used to commit or facilitate the commission of crime".
Cyber warfare	When a nation-state or international organization attacks and attempts to damage another nation's computers or information networks through, for example, computer viruses or denial-of-service attacks.
Cyber spying/ cyber espionage	Cyber spying/ cyber espionage is the act or practice of obtaining secrets and information without the permission and knowledge of the holder of the information from individuals, competitors, rivals, groups, governments and enemies for personal, economic, political or military advantage using methods on the Internet, networks or individual computers through the use of proxy server.
Cyber terrorism	Cyber terrorism can be also defined as the intentional use of computers, networks, and public internet to cause destruction and harm for personal objectives

- ❑ Motives behind Cyber Attacks
- ❑ **For commercial** gain by hacking banks and financial institutions.
- ❑ To attack critical assets of a nation or an individual.

- ❑ **For strategic Advantages:** To penetrates into both corporate and military data servers to obtain plans and intelligence.
- ❑ **To affect the social harmony of the country:** To hack sites to virally communicate a message for some specific campaign related to politics and society.

Methods used for cybercrime/Cyber Attack:

Phishing	It is a kind of fraudulent attempt that is made through email, to capture personal and financial information.
Cyber Stalking	Repeated use of electronic communications to harass or frighten someone
Identity theft	It is a type of fraud in which a person pretends to be someone else and does crime with the name of someone else
Denial of service (DoS)	It attacks refers to an attempt to make computer, server or network resources unavailable to its authorized users usually by using temporary interruption or suspension of services.
Ransomware	Ransomware is a type of computer malware that encrypts the files, storage media on communication devices like desktops, Laptops, Mobile phones etc., holding data/information as a hostage. The victim is asked to pay the demanded ransom to get his device decrypts.
Botnets	A Botnet is a collection of networked computers that reside on the Internet. These computers silently send spam, viruses, and malicious information, to other Internet computers. All based on the instructions they receive from those controlling the botnet.
Whaling	A whaling attack is a method used by cybercriminals to masquerade as a senior player at an organization and directly target senior or other important individuals at an organization, with the aim of stealing money or sensitive information or gaining access to their computer systems for criminal purposes.

Spoofting	Spoofting, as it pertains to cybersecurity, is when someone or something pretends to be something else in an attempt to gain our confidence, get access to our systems, steal data, steal money, or spread malware.
Browser hijacking	Browser hijacking is the unintended modification of a web browser's settings by a malware. The term "hijacking" is used as the changes are performed without the user's permission. Some browser hijacking can be easily reversed, while other instances may be difficult to reverse. Various software packages exist to prevent such modification
Pharming	It is a method used by phishers to deceive users into believing that they are communicating with a legitimate Web site. Pharming uses a variety of technical methods to redirect a user to a fraudulent or spoofed Web site when the user types a legitimate Web address
Skimming	It is the act of obtaining data from an unknowing end user who is not willingly submitting the sample at that time. An example could be secretly reading data while in close proximity to a user on a bus.
Spamming	Unsolicited commercial e-mail (UCE) sent to numerous addressees or newsgroups
Espionage	Espionage is the act or practice of obtaining data and information without the permission and knowledge of the owner.
Computer Virus	It is a program written to enter your computer and damage/alter your files/data and replicate themselves.
Worms	Worms are malicious programs that make copies of themselves again and again on the local drive, network shares, etc.
Trojan horse	A Trojan horse is not a virus. It is a destructive program that looks as a genuine application. Unlike viruses, Trojan horses do not replicate themselves but they can be just as destructive. Trojans open a backdoor entry to your computer which gives malicious users/programs access to your system, allowing confidential and personal information to be stolen.

Special features of cyber war compared to traditional war:

Components of Cyber Security

- ❑ **Application Security:** It encompasses measures or counter-measures that are taken during an application's development process to protect it from threats that can come through flaws in the app design, development, deployment, upgrade or maintenance.

- ❑ **Information security:** It is related to the protection of information from an unauthorized access to avoid identity theft and to protect privacy.
- ❑ **Network Security:** It includes activities to protect the usability, reliability, integrity and safety of the network.
- ❑ **Disaster Recovery Planning:** It is a process that includes performing risk assessment, establishing priorities, developing recovery strategies in case of an attack.

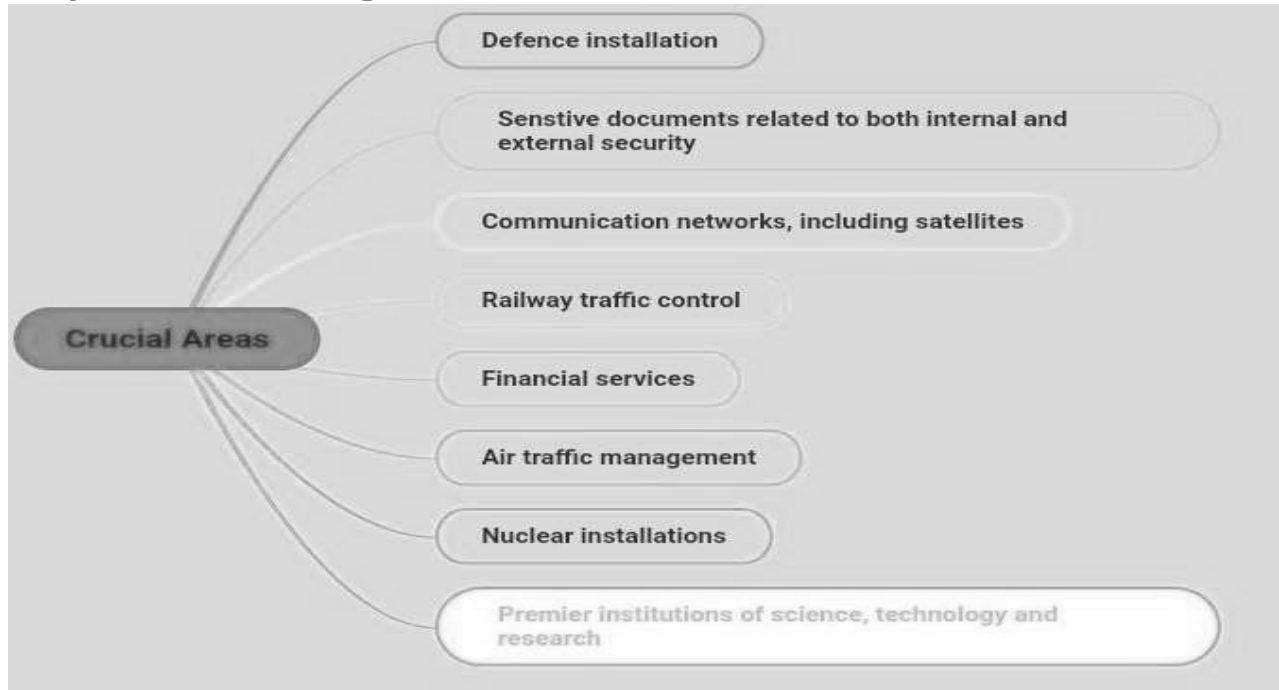
Need for Cyber Security

- ❑ **For Individuals:** Photos, videos and other personal information shared by an individual on social networking sites can be inappropriately used by others, leading to serious and even life-threatening incidents.
- ❑ **For Business Organizations:** Companies have a lot of data and information on their systems. A cyber-attack may lead to loss of competitive information (such as patents or original work), loss of employees/customers private data resulting into complete loss of public trust on the integrity of the organization.
- ❑ **For Government:** A local, state or central government maintains huge amount of confidential data related to country (geographical, military strategic assets etc.) and citizens. Unauthorized access to the data can lead to serious threats on a country.

India and cyberspace threats

- ❑ **Meaning:** Cyberspace is a complex environment consisting of interactions between people, software and services, supported by worldwide distribution of information and communication technology devices and networks.
- ❑ **Global Information Security Survey (GISS) 2018-19:** India was observed, one of the highest number of cyber threats have been detected in India, and the country ranks second in terms of targeted attacks.
- ❑ The **2019 Global Risk Report (World Economic Forum)** highlights India's history of malicious cyberattacks and lax cybersecurity protocols which led to massive breaches of personal information in 2018.

The future war will target Crucial areas such as:



Critical Information Infrastructure (CII):

Critical information infrastructure is communications or information service whose availability, reliability and resilience are essential to the functioning of a modern economy, national security and other essential social values.

- ❑ The complex interactions among various industrial functions of critical infrastructure and the exchange of information leads to “interdependencies”. A minor disruption at one point could have a rippling effect across multiple infrastructures.
- ❑ Among these Critical Information Infrastructures (CIIs) which are intricately interrelated and interdependent are :

Threats to Critical Information Infrastructure (CII)

<i>Internal Threats</i>	<i>External Threats</i>
It is defined as ‘one or more individuals with the access and/or inside knowledge of company, organisation or enterprise that would allow them to exploit the vulnerabilities of that entity’s security, systems, services, products or facilities with the intent of cause harm.	This threat arises from outside of the organisation, by individual, hackers, organisations, terrorists, foreign government agents, non-state actors, and pose risk like crippling CII, espionage, cyber/electronics warfare, cyber terrorism etc.

Effects of cyber-attack on CII

1. Damage or Destruction of CII
2. Disruption or Degradation of Services
3. Loss of Sensitive / Strategic information
4. Cascading Effect

Components of Critical Infrastructure such as:

- ❑ Programmable Logic Control (PLC)
- ❑ Supervisory Control and Data Acquisition (SCADA) systems were targeted by the Stuxnet malware that attacked supposedly secure Iranian nuclear facilities.

Two-step approach for protection of Critical Infrastructure:

- ❑ To identify and reduce the vulnerabilities of individual systems to any sort of damage or attack and reduce their recovery time.
- ❑ To identify the plausible threats

Cyber Terrorism

- ❑ **Meaning:** “Cyber terrorism is the convergence of terrorism and cyber space. It is generally understood to mean unlawful attacks and threats of attacks against computers, networks, and information stored therein when done to intimidate or coerce a government or its people in furtherance of political or social objectives, Further, to qualify as cyber terrorism, an attack should result in violence against

persons or property or at least cause enough harm to generate fear, Serious attacks against critical infrastructures could be acts of cyber terrorism depending upon their impact.”

Cyberspace has been used as a conduit by terrorists-

- ❑ For planning terrorist attacks,
- ❑ For recruitment of sympathizers,
- ❑ For Communication purposes
- ❑ For command and control
- ❑ Spreading propaganda in form of malicious content online to brain wash using their myopic ideological view
- ❑ For funding purposes
- ❑ As a new arena for attacks in pursuit of the terrorists’ political and social objectives.
- ❑ From that perspective, the challenges from non-state actors to national security are extremely grave. The shadowy world of the terrorist takes on even murkier dimensions in cyberspace where anonymity and lack of attribution are a given.
- ❑ The government has taken a number of measures to counter the use of cyberspace for terrorist-related activities especially in the aftermath of the terrorist attack in Mumbai in November 2008.
- ❑ ***Parliament passed :***
 1. 2008 amendments to the IT Act, with added emphasis on cyber terrorism and cyber-crime.
 2. The Information Technology (Guidelines for Cyber Cafe) Rules, 2011 under the umbrella of the IT Act.

In doing so, the government has had to walk a ***fine balance between the fundamental rights to privacy*** under the Indian Constitution and National Security Requirements.

Government’s steps toward strengthening India’s Cyber Security

- ❑ ***National cyber coordination centre (NCCC)*** to scan internet traffic coming into the country and provide real time situational awareness and alert various security agencies.
- ❑ ***A new Cyber and Information Security (CIS) Division*** has been created to tackle

internet crimes such as cyber threats, child pornography and online stalking. Under this, Indian cyber- crime coordination centre (I4C) and Cyber Warrior Police force has also been established.

- ❑ Formation ***Defence Cyber Agency*** in the realm of military cyber security under the Ministry of Defence.
- ❑ Formation of three cyber-forensic laboratories in Bangalore,Pune and Kolkata in association with software industry group NASSCOM.
- ❑ ***National Critical Information Infrastructure Protection Centre (NCIIPC)*** to battle cyber security threats in strategic areas such as air control, nuclear and space. It will function under the National Technical Research Organisation, a technical intelligence gathering agency controlled directly by the National Security Adviser in PMO.
- ❑ ***Indian Computer Emergency Response Team (CERT-in)*** to enhance the security of India’s Communications and Information Infrastructure through proactive action and effective collaboration. CERT-in has also been launched exclusively for the financial sector. CERT-in is also operating Cyber Swachhta Kendra, a Botnet Cleaning and Malware Analysis Centre.
- ❑ On similar lines for protection of critical sectors of Indian economy ***FIN-CERT*** for India’s financial sector was launched.
- ❑ Government inaugurated the new body National Information ***Centre Computer Emergency Response Team (NIC-CERT)*** to prevent and predict cyber-attacks on government utilities.
- ❑ ***Cyber Surakshit Bharat Initiative*** to strengthen the Cyber Security ecosystem in India. It is the first public private partnership of its kind and will leverage the expertise of the IT industry in cybersecurity.
- ❑ Creation of National Critical Information Infrastructure Protection Centre and mandating security practices related to the design, acquisition, development, use and operation of information resources.

- ❑ **Security– Cyber Swachhta Kendra:** It is the Botnet Cleaning and Malware Analysis Centre under the Indian Computer Emergency Response Team (CERT-In) under the Ministry of Electronics and Information Technology (MeitY). The aim of Cyber Swachhta Kendra is to promote awareness among Indian citizens to secure their data in computers, mobile phones, and other electronic devices.
- ❑ **Cyber Surakshit Bharat Initiative:** MeitY in collaboration with National e-Governance Division (NeGD) came up with this initiative in 2018 to build a cyber-resilient IT set up.
- ❑ **National Cyber Security Strategy 2020:** Indian Government is coming up with the National Cyber Security Strategy 2020 entailing the provisions to secure cyberspace in India. The cabinet's nod is pending and it will soon be out for the public.
- ❑ **National Informatics Center (NIC):** The National Informatics Centre is an attached office under the Ministry of Electronics and Information Technology in the Indian government. The NIC provides infrastructure to help support the delivery of government IT services and the delivery of some of the initiatives of Digital India.

Legislative Measures:

Information Technology Act, 2000 (amended in 2008):

- ❑ To provide a legal framework for transactions carried out by means of electronic data interchange, for data access for cybersecurity etc.

Salient Features of the Information Technology Act, 2000:

- ❑ Digital signature has been replaced with electronic signature to make it a more technology neutral act.
- ❑ It elaborates on offenses, penalties, and breaches.
- ❑ It outlines the Justice Dispensation Systems for cyber-crimes.
- ❑ The Information Technology Act defines in a new section that cyber café is any facility from where the access to the internet is

offered by any person in the ordinary course of business to the members of the public.

Shreya Singhal v. Union of India (Section 66 A)

- ❑ In *Shreya Singhal v. Union of India* judgement, Supreme Court had observed that the weakness of Section 66A lay in the fact that it had created an offence on the basis of undefined actions: such as causing “inconvenience, danger, obstruction and insult”, which do not fall among the exceptions granted under Article 19 of the Constitution, which guarantees the freedom of speech.
- ❑ The court also observed that the challenge was to identify where to draw the line. Traditionally, it has been drawn at incitement while terms like obstruction and insult remain subjective.
- ❑ In addition, the court had noted that Section 66A did not have procedural safeguards like other sections of the law with similar aims, such as :
- ❑ The need to obtain the concurrence of the Centre before action can be taken.
- ❑ Local authorities could proceed autonomously, literally on the whim of their political masters.
- ❑ The judgment had found that Section 66A was contrary to both Articles 19 (free speech) and 21 (right to life) of the Constitution. The entire provision was struck down by the court.

Offences under IT act 2000	
Sections	Description
Section 43	Data protection: laws and regulations that makes it illegal to store or share some type of information or share information about people without their knowledge or permission
Section 66	Hacking of systems present over the network.
Section 69	Cyberterrorism
Section 66 B	Dishonestly receiving stolen computer resources
Section 73	Publishing electronic Signature certificate false in certain particulars.

Key provisions of the National Cyber Security Policy 2013:

- ❑ Set up different bodies to tackle various levels of threats, along with a national nodal agency to coordinate all cybersecurity matters.
- ❑ To promote adoption of global best practices in information security.
- ❑ Create a National Critical Information Infrastructure Protection Centre (NCIIPC) Create a workforce of around 500,000 trained in cyber security.
- ❑ To create a think tank for cyber security policy inputs, discussion and deliberations.
- ❑ Provide fiscal benefits to businesses to adopt best security practices.
- ❑ To enhance the national and global cooperation among security agencies, CERTs, NCCC etc.
- ❑ Set up testing labs to regularly check safety of equipment being used in the country.
- ❑ Create a cyber ecosystem in the country, developing effective public-private partnerships and collaborative engagements through technical and operational cooperation.
- ❑ Build indigenous security technologies through research.
- ❑ To develop bilateral and multilateral relationships in the area of cyber security with other countries.

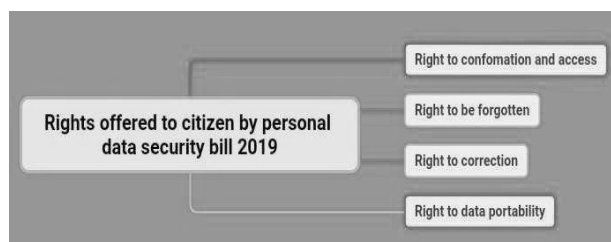
Assessment of National Cyber Security Policy 2013

- Security risk associated with Cloud Computing have not been addressed.
- Also need to incorporate cyber-crime tracking, cyber forensic capacity building and creation of platforms for sharing and analysis of information between public and private sector on continuous basis.

Issue of Personal Data Security

- ❑ **Personal Data:** In simple words personal data is that data from which an individual can be identified like name, address etc, these personal data can include sensitive personal information like gender, financial, health etc. which can be misused by easily.
- ❑ In the India justice B.N Sri Krishna committee provided a framework of personal data.

- ❑ Global personal data protection laws: European Union law, General Data Protection Regulation (GDPR), this right allows an individual to remove consent for data collection and disclosure.



International cooperation in Cyber Security:

Budapest Convention on Cybercrime, 2001:

- ❑ It deals with issues such as infringements of copyright, computer-related fraud, child pornography and violations of network security.
- ❑ It aims to pursue a common criminal policy, especially by adopting appropriate legislation and fostering international police as well as judicial co-operation.
- ❑ It is supplemented by a “Protocol on Xenophobia and Racism” committed through computer systems.
- ❑ India is not yet a member. The Convention has 56 members, including the US and the UK.
- ❑ This convention of the council of Europe is the only binding international instrument on this issue that addresses Internet and computer crime by harmonizing national laws, improving legal authorities for investigative techniques, and increasing cooperation among nations.

Global Centre for cyber security:

- ❑ It is an initiative of the World Economic Forum with its headquarters in Geneva.
- ❑ Aims to establish the first global platform for governments, businesses, experts and law enforcement agencies to collaborate on cybersecurity challenges and to develop a comprehensive regulatory mechanism.

Global conference on Cyber Space:

- ❑ Conference includes members from Government, civil society, private sector and

the theme is cooperation in cyberspace and enhancing cyber capacity building.

- ❑ Conference is held since 2011 biennially.

'Commonwealth Cyber Declaration' at the Commonwealth Summit 2018:

- ❑ Commonwealth Heads of Government, commit to:
 - World's largest inter-governmental commitments on cyber security cooperation.
 - A cyberspace that supports economic and social development and rights online.
 - Build the foundation of an effective national cyber security response.
 - Promote stability in cyberspace through international cooperation. Signed in April 2018.

Paris call:

- ❑ At UNESCO Internet Governance Forum (IGF) meeting convened in Paris, "The Paris Call for Trust and Security in Cyberspace" was commenced, aimed at developing common principles for securing cyberspace.

Latest attack over the Indian Information Infrastructure:

- ❑ ***Coronavirus Pandemic Based Cyber Attack:*** Microsoft has reported that cyber crooks are using Covid-19 situation in 2020 to defraud people through phishing and ransomware in India and the world
- ❑ ***WannaCry:*** It was a ransomware attack that spread rapidly in May, 2017. The ransomware locked users' devices and prevented them from accessing data and software until a certain ransom was paid to the criminals. Top five cities in India (Kolkata, Delhi, Bhubaneswar, Pune and Mumbai) got impacted due to it.

- ❑ ***Mirai Botnet:*** Mirai is malware that infects smart devices that run on ARC processors, turning them into a network of remotely controlled bots or zombies. This network of bots, called a botnet, is often used to launch Distributed Denial of Service (DDoS) attacks. In September 2016, Mirai malware launched a DDoS attack on the website of a well-known security expert.
- ❑ ***Attack over the Kudankulam*** nuclear power station.
- ❑ Attack over the website of national institutions
- ❑ ***Petya Ransomware:*** In India, the ransomware has crippled the operations at one of the terminals of the Jawaharlal Nehru Port Trust.
- ❑ In 2017 malware attack on the ***Tehri Dam*** in Uttarakhand.

Case of Stuxnet

Stuxnet, the cyber worm allegedly created by US' National Security Agency and Israeli military and posed a massive attack on the cyber infrastructure of Iran's nuclear enrichment centre at Natanz. Stuxnet exploited five distinct zero-day vulnerabilities in desktop systems, apart from vulnerabilities in PLC systems. Indian investigators had already found Stuxnet in Indian systems in early 2012

Way forward:

- ❑ As the attack of this nature is complex so periodic 'back of data' can prevent data theft.
- ❑ Real time monitoring and data gathering to prevent the cyber-attack.
- ❑ Development of a mechanism which is to be followed during the time of attack.
- ❑ Empowerment of people through digitally literacy
- ❑ Training personnel in the field of cyber expertise.
- ❑ A comprehensive policy along with strong laws can prevent the cyber-attack in the country.

“The internet is the largest experiment involving anarchy in history. (...) It is a source for tremendous good and potentially dreadful evil, and we are only just beginning to witness its impact on the world stage.”- Eric Schmidt, Executive Chairman, Google and Jared Cohen, Director, Google Ideas.

Introduction:

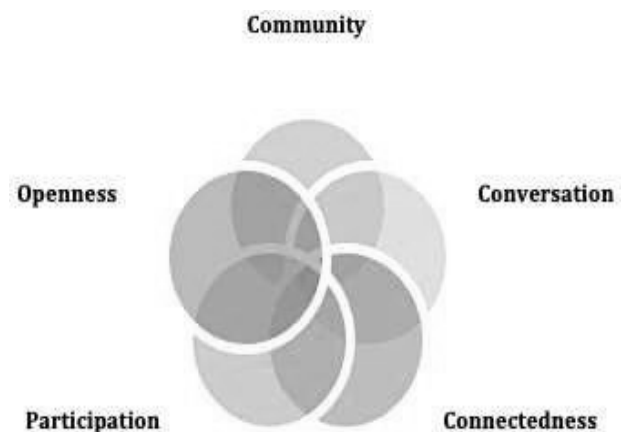
- ❑ Any communication channel through which any kind of information, news, entertainment, education, data, promotional messages etc. can be disseminated is called **media**.
- ❑ **Mass media** refers to communication devices, which can be used to communicate and interact with a large number of audiences in different languages.
- ❑ **Social Media** in recent times has become synonymous with Social Networking sites such as Facebook or Microblogging sites such as Twitter. However, very broadly social media can be defined as any web or mobile based platform that enables an individual or agency to communicate interactively and enables exchange of user generated content.
- ❑ The advent of social media is transforming the way in which people connect with each other and the manner in which information is shared and distributed. It is different from traditional media such as print, radio and television in two significant ways–
 1. The amount of content that can be generated by the users themselves far **exceeds the content generated by news/opinion makers**.
 2. Its **“viral” ability for potential exponential spread of information** by word of mouth and interlinking of the various social media platforms, thereby considerably reducing the control over spread of any such information.

- ❑ **National Security is of prime importance for any nation to maintain peace and harmony.** Nations face numerous internal security challenges and Social Media act as the platform for that.

According to the **Cisco 2013 Annual Security Report**, the highest concentrations of online security threats are on mass audience sites, including social media.

Characteristics of Social Media:

- ❑ **Participation:** Social media encourages contributions and feedback from everyone who is interested. It blurs the line between media and audience.
- ❑ **Openness:** Most social media services are open to feedback and participation. They encourage voting, comments and the sharing of information. There are rarely any barriers to accessing and making use of content, password-protected content is frowned on.
- ❑ **Conversation:** Whereas traditional media is about **“broadcast”** (content transmitted or distributed to an audience) social media is better seen as a two-way conversation.
- ❑ **Community:** Social media allows communities to form quickly and communicate effectively, sharing common interests.
- ❑ **Connectedness:** Most kinds of social media thrive on their connectedness, making use of links to other sites, resources and people.



Role of Media in India:

For a country like India, the backbone of its democracy and the propagator of its national interests remains the access to information and expression:

- ❑ ***Inform and educate people objectively, impartially*** and in an ***unbiased*** manner about security threats and challenges.
- ❑ ***Unbiased reporting*** with the restraints of ***self-regulations***.
- ❑ Promotion of the ***principles of healthy democracy***.
- ❑ Respect for the ***Constitutional Provisions***.
- ❑ To build a ***bridge between people and governments*** at the national level.
- ❑ Uphold ***fairness, justice, national unity and international cooperation***.
- ❑ ***Inform, educate, entertain, publicize*** and most importantly correct the excesses in any society.
- ❑ ***Highlight the trouble spots in the society*** and press the government and public to devise suitable mechanisms to eliminate them.
- ❑ Shape the perceptions of government, influence public opinion, promote democracy, good governance as well as influence peoples' behavior and support people-oriented policies.

Some important principles to be followed by the media:

- ❑ Impartiality and objectivity in reporting
- ❑ Ensuring neutrality
- ❑ No glorification of crime and violence
- ❑ Special care in cases pertaining to women and children
- ❑ Refrain from obscenity
- ❑ Respect individual privacy
- ❑ Should not endanger national security
- ❑ Refrain from sensationalizing

Where Media is Misleading?– Threat to Internal Security

- ❑ Indian media does ***not have a wider perspective of India's national security issues***.

- ❑ Indian media is in ***no mood to apply brakes or observe self-restraint*** on its wayward and insensitive treatment of national security issues.
- ❑ Indian TV anchors discussing national security issues do not have the political and strategic to discuss national security issues as their Western counter-parts do.
- ❑ Indian ***TV debates on national security issues*** tend to cut out development of contrary views and perspectives by imposing commercial breaks, or go hectoring themselves.

Social Media vs Social Networking

Social Media and Social Networks in actual terms differ as social media is a communication channel that transmits information to a wide audience and is usually a one-way street, while social networks facilitate the act of engagement between likeminded people, groups or communities

Varients of Social Media:

Kaplan and Hoenlein in 2010 classified social media into six different types: collaborative projects, blogs and microblogs, content communities, social networking sites, virtual game worlds, and virtual social worlds. Some common examples.

<i>Social Networking:</i>	These are the most prominent platform of social media. It is an online service that enables its users to create virtual networks with likeminded people akin to social networks in real life. It often offers the facilities such as chat, instant messaging, photo sharing, updates, etc. Facebook with over 800 million users is one of the most well-known social networking sites.
<i>Blogs:</i>	Blogs are <i>descriptive content created and maintained by individual users</i> and may contain text, photos and links to other websites. The main interactive feature of Blogs is the ability of readers to leave comments and the comment trail can be followed.
<i>Microblogs:</i>	Microblogs are similar to Blogs with a <i>typical restriction of 140 characters or less</i> , which allows users to write and share content. It can be done in the form of text message, instant message or even email. Twitter is a microblogging site that enables its users to send and read text-based messages or "tweets" of up to 140-character length. These Tweets are posted on the user's account and the site allows others to " <i>Follow</i> " the user.

Vlogs and Video Sharing sites:	Videoblogs or Vlogs are blogging sites that mainly use video as the main form of content supported by text. Such sites especially enable those who may have limited knowledge of English to also share their experiences over the internet. Vlogs are an important category of content over YouTube– the largest video sharing site. YouTube is a video Live Casting and video sharing site where users can view, upload and share videos and even leave comments about videos.
Wikis:	A Wiki is a collaborative website that allows multiple users to create and update pages on particular or interlinked subjects.
Photo Sharing:	Picasa and Flickr– These are photo sharing sites.

National Security & Social Media:

Social Media can represent an effective opportunity to preserve national security and/or reach the strategic interests of a state if used properly by civil institutions and, in particular, by security services and/or information security services.

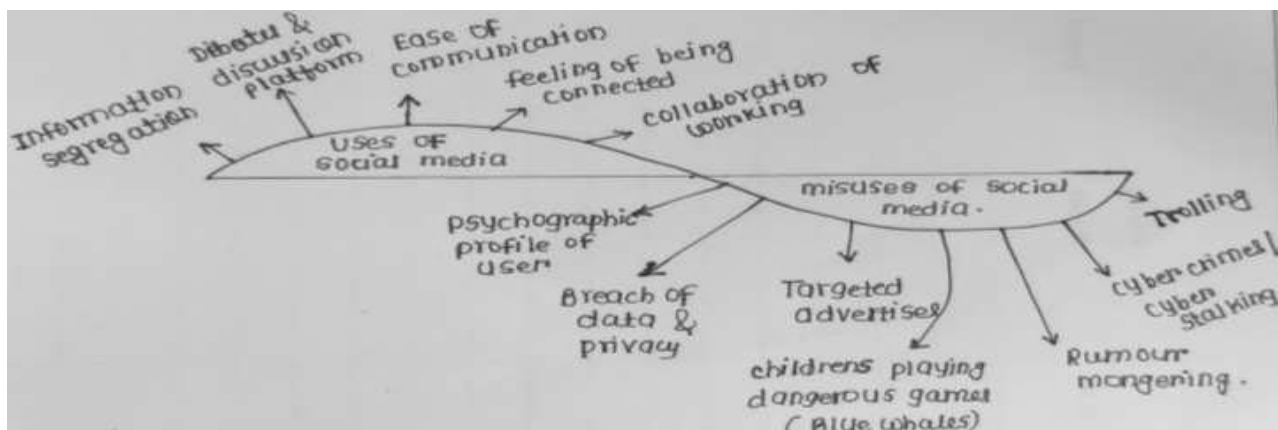
Negative Impact of Social Media	Positive Impact of Social Media
Instigating Riots	Social awareness
Spreading misinformation and disinformation	Strengthening and deepening participatory democracy
Terrorism	Cheapest and fastest form of communication
Anti-National activities	Spread of Social activism
False opinion building	Promoting cultural debates
Inciting communal violence	Increase in creativity of general public as they are free

Social media supports security system also through:

- ❑ **Improved intelligence capabilities-** social network offer real-time, firsthand information which can be used for developing

“actionable intelligence” by using tools such as big data analysis etc.

- ❑ **Support investigation-** It can be used for effective engagement and policing. It includes methods-using platforms like Twitter for supporting investigations and to find information on offenders, supporting investigations by crowd sourcing; using photo-sharing site such as Flickr to publish photos of perpetrators of riots captured on CCTV etc.
- ❑ **Maintaining Law and order-** During London riots 2011, rioters used Smartphone apps etc. to organize attacks, find police locations etc. However, the police and public hit back by using the very same social media technologies to capture rioters and secure their communities. In the case of Boston Bombing, 2013, the police successfully leveraged Twitter to calm public nerves and request public assistance
- ❑ **Warning and Trend Prevision Tool-** The ability to forestall future strategic and tactical contexts is of paramount importance in order to reduce the possibilities to be caught by surprise by threats and increase the resilience to them.
- ❑ **Influence, Propaganda and Deception Tool-** The use of Social Media allows not only to communicate, share or capture information, analyze sociopolitical dynamics and anticipate economic-financial trend, but also to describe events, model reality, influence the perception of a certain situation, a specific issue or a person, and influence choices and behaviors.
- ❑ **Institutional Communication Tool**



Security implications/ Threat to Internal Security:

Social media poses challenge for democracies because the channels such as social networks and blogs present powerful tools to spread information to the masses e.g. Moldavian twitter riot, the London riots, the Iran elections, the WikiLeaks disclosures, or the Arab freedom movements etc.

- ❑ ***Terrorism:*** Social media helps terrorist organizations to spread their ideology and they use social media as a tool to brainwash the youth of a country which ultimately ends up as an anti-social element. Terrorists also use social media to disturb the social harmony of the country.
- ❑ ***Instigating Riots:*** The sharing of hate speech or rumors on social media platforms have potential to cause a full-fledged Riot in the country.
- ❑ ***Spreading of Disinformation and Misinformation:*** Any wrong information that gets viral over social media affects the knowledge of the people and erodes people's trust over the institute or government body.
- ❑ ***Inducement of panic in the public:*** Due to the viral nature of any rumor spreads like wildfire. If not quashed in time can cause panic among the people which can lead to rampage etc.
- ❑ ***Cyber terrorism:*** The biggest challenge for internal security of nation through social networking site is cyber terrorism. Today terrorists select Social Media as a practical alternative to disturb the function of nations and other business activities because this technique has potential to cause huge damage.
- ❑ ***Criminality:*** As the Internet is growing explosively, ***online criminals*** try to present fraudulent plans in many ways. Social networking sites also pose a major challenge in financial and organized crime which destabilizes the system. It creates a threat to a company's security because of what employees might disclose and they are on prime target for cyber criminals

- ❑ ***Protest Movements and Revolution:*** Some countries in the world feel threatened by the fact that social media can bring the people together and thus, create a revolution. This in turn can cause political instability e.g. ***Yellow movement, Jasmin revolution, Umbrella movement among others.***
- ❑ We are also witnessing the growth of the ***"new media phenomena"*** in India where traditional media (mainly television) is increasingly relying on social media to feed its ***24-hour news cycles*** and picking content and coverage led by social media trends, posing multi-dimensional implications for law and order as well as security.
- ❑ ***Hackers write or use ready-made computer programs*** to attack the target computer. By using Social Media, they breach the national security and steal important data of defence or other strategic sectors. This can kneel the whole country without using Arms and Ammunition
- ❑ ***Easy and accessible propaganda platform:*** ISIS is using this medium for Propaganda propagation which is fueling competition among Terror Groups on Social Media for the same. It is also alleged that Bangladeshi terrorists were influenced by 'hate speeches' available online.
- ❑ Other implications can be ***cyberbullying*** or ***cybercrime*** etc. discussed in cyber security section.

Recent Internal Security Crisis engendered by Social Media:

- ❑ Mobile and social network interfaces were ***used to send offensive clips and hate messages*** that triggered panic and mass exodus of north east Indians from large parts of India in the aftermath of the ***ethnic clashes in Assam in 2012.***
- ❑ In 2013, a morphed video on YouTube was used to fan communal riots in ***Muzaffarnagar in Uttar Pradesh***
- ❑ A propaganda video released by ISIS shows alleged ***Indian Jihadists fighting in Syria and calling for more Indian recruits to join the cause.***

- ❑ The Ministry of Home Affairs (MHA) annual report used a picture of the ***Spain-Morocco border to show Indian border floodlighting.***
- ❑ Child kidnapping rumours lead to ***lynching by a mob in Jharkhand.***
- ❑ In the recent ***Karnataka Assembly elections (2018) fake news*** about rival parties and candidates flooded the media.
- ❑ ***The Supreme Court of India*** on the reckless ***media coverage of the 26/11 attacks*** noted that- "By covering the attack live, the Indian TV channels were not serving any national interest or social cause. On the contrary, they were acting in their own commercial interests, putting national security in jeopardy.

Other issues with using social media:

- ❑ ***Legal challenges*** such as Internet traffic monitoring and privacy Concerns, fears of censorship and threat to freedom of speech and expression.
- ❑ ***Accountability issues-*** Challenges with respect to fixing the liability of intermediaries.
- ❑ ***Jurisdictional challenges-*** Complications in jurisdiction as Facebook etc. operate as subsidiaries of foreign internet companies with their servers located outside India.
- ❑ ***Anonymity-*** Police officers have expressed concern over multiplicity of fake profiles

Challenges for adapting social media into Policing:

- ❑ Lack of clarity on how to use the technology
- ❑ Absence of adequate internet infrastructure
- ❑ Lack of immediate availability of talent,
- ❑ Shortage of personnel and soft skills required to deal with a medium like social media at local levels
- ❑ Multiplicity of languages in India require further customization of technology which, in turn, requires investment, both human and capital as well as redrawing of budget plans.

Use of social media in Policing:

- ❑ ***Delhi Traffic Police*** using platforms like Facebook and Twitter to ease handling of

traffic related issues, Delhi police online FIR facility for lost articles,

- ❑ ***Indore police*** using the medium to track criminal activity
- ❑ ***Bengaluru police*** twitter handle selected for "***Twitter Samvad***".
- ❑ ***Social Media Labs Project by Maharashtra Police tracks*** activity on social media to anticipate and handle sudden flare ups.
- ❑ Extensive use of twitter in ***recent Kerala floods (2018)***

Legal provisions:

- ❑ ***The IT Act of 2002 (amended in 2008) section 69 and 69A provides the Government*** with power to issue directions for interception/monitoring of any information through any computer resource and block it, in interest of sovereignty or integrity of India.
- ❑ ***Relevant sections of IPC and CrPc*** are also applicable other laws dealing with cyberspace is discussed in chapter of cyber security.

Measures to deal with security implications:

- ❑ ***Centralized monitoring system:*** Complete 24×7 monitoring systems can take better timely action over the viral post and can prevent unnecessary panic among the people.
- ❑ ***Intelligence and information gathering:*** Better data collection can lead to better policy formulation and upgraded intelligence mechanisms can be used to prevent the chaos in the general public.
- ❑ ***National social media policy:*** After seeing the various fronts of social media our country needs this policy to make these social networking sites more responsible and overall good towards society.

Overall, the ***government along with NGOs and civil society and literacy*** try to establish a balance between the negatives and positives of social media.

- Recently, the **Tamil Nadu Government** told the Supreme Court that social media profiles of users should be linked with their Aadhaar numbers
- The Tamil Nadu government is seeking Aadhaar-social media linking after two PILs were filed in the Madras HC for authentication of identity. But, the Madras High Court dismissed the original plea to link Aadhaar to social media accounts as it violated the Supreme Court's judgment on Aadhaar.
- The Supreme Court has highlighted that **there is a need to find a balance between the right to online privacy and the right of the state to trace the origins of hateful messages and fake news.**

Need for regulation of Social Media

- ❑ **Exponential increase-** in social media profiles on the platforms such as Whatsapp, Facebook etc.
- ❑ **Quick spread of information-** If some event happens in one part of the world, its information or disinformation can be spread in minutes, which can create chaos or panic.
- ❑ **Disparity of information available-** Owing to the limited knowledge about the source of news and fact check mechanisms.
- ❑ **To curb illegal activities-** such as spread of fake news, pornographic and anti-national content, among other things.
- ❑ **Ensure violence does not take place-** such as against religious and ethnic groups. E.g. Muzaffarnagar riots.

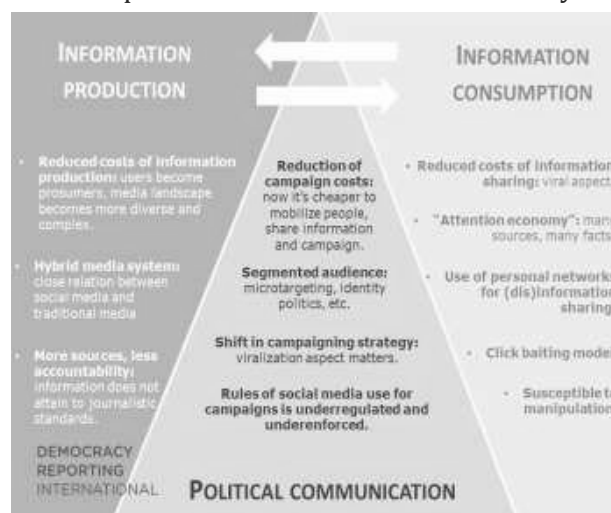
Arguments against regulation:

- ❑ **Unconstitutional Move-** as it is against the **Right to Privacy** interpreted by the court under the Constitution and also against the spirit of the Supreme Court's **Putt swamy privacy judgment**. It can violate the individual's fundamental rights, dignity and personal information.
- ❑ **Could lead to commercial use of Aadhaar-** as it would result in users' messages and posts being traceable, which can be used to target profiles by different stakeholders.
- ❑ **Data Collection** will increase as Aadhaar is tied across databases including driving licence and vehicular registration, PAN, social security benefits etc. When this information is collated with Aadhaar, it can lead to a 360-degree profile of an individual. This can be misused or tracked by various companies and applications.

- ❑ **Will disempower some sections-** which have been empowered by the **anonymity** of social media such as- **Women-** have used anonymity to correct systemic and historic sexual harassment through the MeToo movement.
- ❑ **Caste Groups-** have used it to highlight how certain institutions, particularly those that offer education and health services, have discriminated against them. **Prone to misuse-** the experts believe this could also allow the government to use social media platforms as surveillance tools.
- ❑ **Wrong to link some issues with social media-** e.g. Fake news is not an invention of digital age, rather has been present since long. These issues have not much to do with these platforms themselves.

Social Media and Deepening of Democracy:

- ❑ **Aiding C-Governance:** Social media has led to the emergence of **citizen-led governance (C- governance)** in India. Social media platforms help to create awareness from one another to a million and be united for any social cause. In the process, the existence of social media can nudge citizens to seek solutions. Social media is gradually being accepted as the fifth estate of democracy.



- ❑ **Democratization of Expression:** Social media has made Indian politics more inclusive by allowing citizens, who were traditionally excluded from politics due to geography and demography, to gain direct entry into the political process.

- ❑ **Instrument for Bringing Behavioural Change:** Use of social media for policy crowdsourcing and publicity is evident in the success of pan-India campaigns such as **Swachh Bharat Abhiyan** and the recently-launched **Fit India Movement**.
- ❑ **Making political communication people-centric:** Social media has been increasingly used by Indian political actors for routine political communication between elections to provide unmediated and direct communication to connect citizenry.

Detrimental effects of Social Media on Democracy:

- ❑ **Widening Social Fault Lines:** Social media has enabled a style of populist politics, which on the negative side allows hate speech and extreme speech to thrive in digital spaces that are unregulated, particularly in regional languages.
- ❑ **Formation of Information Cocoons:** Social Media, due to its technological capacity has enabled self-sorting and personalization of information one perceives. This leads to the phenomenon of group polarization. This is not in sync with the ethos of democracy which is based on **Debate, Dissent And Discussion**.
- ❑ **Menace of Fake News:** The rise of **polarizing and divisive content** has been a defining moment of modern politics, which is fed by fake news propagation through social media channels.
- ❑ **Cyberbullying or Trolling:** Another dangerous element is the labelling and trolling of more rational voices or those who disagreed with the government's actions or dominant public discourse as **"anti-national."**

Previous Years UPSC Questions:

1. What are social networking sites and what security implications do these sites present? **(2013)**
2. "The diverse nature of India as a multi-religious and multi-ethnic society is not immune to the impact of radicalism which is seen in her neighborhood? Discuss along with strategies to be adopted to counter this environment. **(2014)**
3. Religious indoctrination via social media has resulted in Indian youth joining the ISIS. What is ISIS and its mission? How can ISIS be dangerous to the internal security of our country? **(2015)**
4. Use of internet and social media by non-state actors for subversive activities is a major security concern. How have these been misused in the recent past? Suggest effective guidelines to curb the above threat. **(2016)**
5. Mob violence is emerging as a serious law and order problem in India. By giving suitable examples, analyze the causes and consequences of such violence. **(2017)**

Introduction:

- ❑ **Money laundering** is the process by which large amount of **illegally obtained** money, from **drug trafficking, terrorist activity** or other serious crimes, is given the appearance of having originated from the **legitimate source**. It allows the criminals to maintain control over their proceeds.
- ❑ The process by which large amount of **dirty money** (i.e. money obtained from serious crime- drug trafficking, terrorist activity) made to look **clean money** (i.e. legitimate) is known as money laundering.
- ❑ Money laundering is **an organised crime** which is a prime source for funding terrorism.



Money Laundering:

- ❑ According to **INTERPOL**, Money laundering is **concealing or disguising the identity of illegally obtained proceeds** so that they appear to have originated from legitimate sources.
- ❑ It is frequently a component of other, much more serious, crimes such as drug trafficking, robbery or extortion.
- ❑ Some of the common methods of money

laundering are **Bulk Cash Smuggling, Shell companies and trusts, Round-tripping, Hawala, False invoicing etc.**

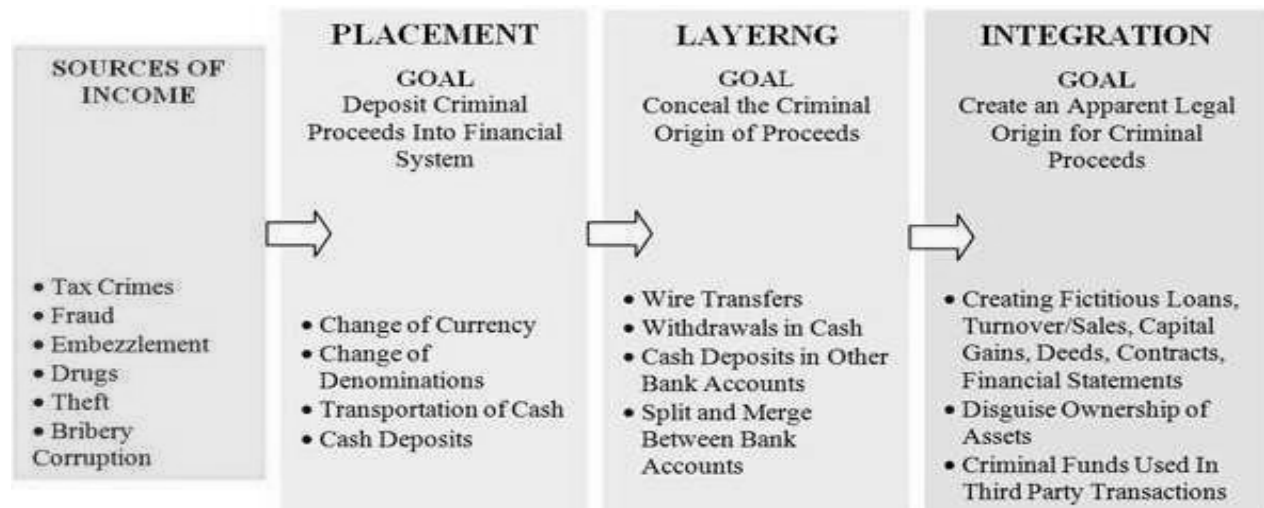
- ❑ The **advent of cryptocurrency**, such as bitcoins, has exacerbated this phenomenon.
- ❑ Money laundering is an issue that has gained **increasing significance** following the events of **9/11**. It has recognised it as a source of the funding of terrorist activities. The **spread of international banks** all over the world has facilitated the transmission and the disguising of the origin of funds.

Understanding the process of money laundering:

Money is also laundered using the **method of Round Tripping**- the black money is transferred to the tax-heaven countries from India. Then a company from that country will send that money back to India in form of '**foreign investment**'. Best example of this is **Mauritius, Singapore** among others.

Money-Laundering involves three steps:

1. **Placement** puts the "**dirty money**" into the legitimate financial system.
2. **Layering** conceals the source of the money through a series of transactions and bookkeeping tricks.



3. In the case of **integration**, the now-laundered money is withdrawn from the legitimate account to be used for criminal activities.



Various forms of Money Laundering:

Structuring also called as Smurfing	Bulk Cash Smuggling	Cash intensive Businesses	Gambling	Trade based Laundering
Tax amnesties	Round tripping	Shell companies	Black salaries	Transaction laundering

Hawala and Money-Laundering:

- ❑ The word **“Hawala” means trust**. Hawala is a system of transferring money and property in a parallel arrangement **avoiding the traditional banking system**. It is a simple way of money laundering and is banned in India.
- ❑ Hawala works by transferring money **without actually moving it**.
- ❑ In a hawala transaction, **no physical movement of cash** is there.
- ❑ It is an **alternative or parallel remittance system**, which works outside the circle of banks and formal financial systems.

Reason why people prefer Hawala:

- ❑ The commission rates for transferring money through hawala are quite low.
- ❑ **No requirement of any id proof** and disclosure of source of income is there.
- ❑ It has emerged as a **reliable & efficient system of remittance**.
- ❑ As there is **no physical movement of cash**, hawala operators provide better
- ❑ **Exchange rates as compared** to the official exchange rates.
- ❑ It is a **simple and hassle-free process** when compared to the extensive
- ❑ Documentation being done by the banks.
- ❑ It is the only way to transfer unaccounted income
- ❑ This network is being used extensively across the globe to circulate black money and to provide funds for terrorism, drug trafficking and other illegal activities.

Various Techniques Used for Money Laundering:

- ❑ **Structuring Deposits:** This is a method of placement whereby cash is broken into smaller deposits of money which is then exchanged by many individuals (known as **“smurfs”**) to avoid anti-money laundering reporting requirements. This is also known as **smurfing** because many individuals (the **“smurfs”**) are involved.
- ❑ **Money laundered successfully will** boost more criminal activity **in the country**.
- ❑ More fraud activities **and more youth can get attracted due to higher returns**.
- ❑ **Shell companies:** These are companies without active business operations. They take in dirty money as **“payment”** for supposed goods or services but actually provide no goods or services; they simply create the appearance of legitimate transactions through fake invoices and balance sheets.
- ❑ **Third-Party Cheques:** Counter cheques or banker’s drafts drawn on different institutions are utilized and cleared via various third-party accounts. Since these are negotiable in many countries, the nexus with the source money is difficult to establish.
- ❑ **Bulk cash smuggling:** This involves physically smuggling cash to another jurisdiction and depositing it in a financial institution, such as an offshore bank, with greater bank secrecy or less rigorous money laundering enforcement.
- ❑ **Credit Cards:** Clearing credit and charge card balances at the counters of different banks. Such cards have a number of uses and can be used across international borders. For example, to purchase assets, for payment of services or goods received or in a global network of cash-dispensing machines

Status of Hawala in India

- Hawala is illegal in India, as it is seen to be a form of money laundering.
- As hawala transactions are not routed through banks, the government agencies and the RBI cannot regulate them

Cryptocurrency: The New Hawala

- ❑ Cryptocurrency like Bitcoin provides absolute anonymity and facilitates terror financing which was evident in the 2015 Paris terrorist attack.
- ❑ The Financial Action Task Force in Paris reported in 2015 that some terrorist websites encouraged sympathisers to donate in bitcoins.
- ❑ After, demonetisation action by the Government of India in 2016, there was noticed a flood of such digital transactions.
- ❑ This new Hawala has a potential to become an easy way to provide funds for terrorists and other illegal activities.
- ❑ So, there is a ***need to have proper regulation over bitcoin*** in the interest of the economy and the security of the country.

Impact and Effects Of Money Laundering:

According to studies conducted by the International Monetary Fund, it was estimated that the quantum of money laundered is approximately 2 to 5 percent of GDP of the world.

<i>Social Effects:</i>	<ul style="list-style-type: none"> • Declines the moral and social position of the society by exposing it to activities such as drug trafficking, smuggling, corruption and other criminal activities. • Social balance of society may suffer because of ease of availability of drugs in the market. • Damage to reputation of financial institutions and market and Weakens the “democratic institutions” of the society. • Transfers the economic power from the right people to the wrong • Increased unemployment as legitimate business companies fail to compete with operators operating through illegal money.
<i>Economic Effects: MicrMacro</i>	<ul style="list-style-type: none"> • Loss of revenue to the government due which social services suffers. • Unpredictability of economy increasing due to pumping of illegal money. • Threaten the stability of economy • Destabilises economy of the country causing financial crisis • Policy distortion occurs because of measurement error and misallocation of resources • Discourages foreign investors • Encourages tax evasion culture • Results in exchange and interest rates volatility

	<ul style="list-style-type: none"> • Contaminates legal transaction. • Money laundering decreases the tax funds available for collection in the economy and by implication government's revenues • Committing crime of money laundering transfers of economic power from the right people to the wrong. The good citizens and the government are dispossessed from their right, making the criminals take the benefit to flourish in their criminality. • Organised crime at local level can flourish. • It also leads to higher cost of doing business.
<i>Political Impact:</i>	<ul style="list-style-type: none"> • Affects the Government's capability to spend on development schemes thereby affecting a large section of populations who could have benefitted from such spending. • Policy distortion occurs because of measurement error and misallocation of resources.
	<ul style="list-style-type: none"> • Legislative bodies find it difficult to quantify the negative economic effects of money laundering on economic development and its linkages with other crimes– trafficking, terrorism etc.

Trade-Based Money Laundering (TBML):

- ❑ Trade Based Money Laundering (TBML) is the processes of transferring money through trade transactions this is achieved through misrepresentation of the price, quantity or quality of import or export.

Techniques of TBML:

- ❑ ***Over-invoicing*** and ***under-invoicing*** of goods and services
- ❑ ***Multiple-invoicing*** of goods and services
- ❑ ***Over-shipment*** and ***under-shipment*** of goods and services
- ❑ ***Wrong information*** about goods and services.

Challenges in tackling Money Laundering:

- ❑ ***Predicate-offence-oriented law:*** This means a case under the Act depends on the fate of cases pursued by primary agencies only such as the CBI, the Income Tax Department or the police. (Predicate offence- any offence that is component of more serious offence)
- ❑ ***Growth of Technology:*** The enforcement agencies are not able to match up with the speed of growing technologies.

- ❑ **Non-fulfilment of the purpose of KYC Norms:** KYC norms does not cease or abstain from the problem of Hawala transactions as RBI cannot regulate them. Also, the increasing competition in the market is forcing the Banks to lower their guards and thus facilitating the money launderers to make illicit use of it in furtherance of their crime.
- ❑ **Widespread act of smuggling:** there are a number of black-market channels in India for the purpose of selling goods offering many imported consumers goods such as food items, electronics etc. which are routinely sold.
- ❑ **Lack of comprehensive enforcement agencies:** Separate wings of law enforcement agencies dealing with money laundering, cyber-crimes, terrorist crimes, economic offences etc lack convergence among themselves
- ❑ **Tax Heaven Countries:** They have long been associated with money laundering because their financial secrecy laws allow the creation of anonymous accounts while prohibiting the disclosure of financial information.

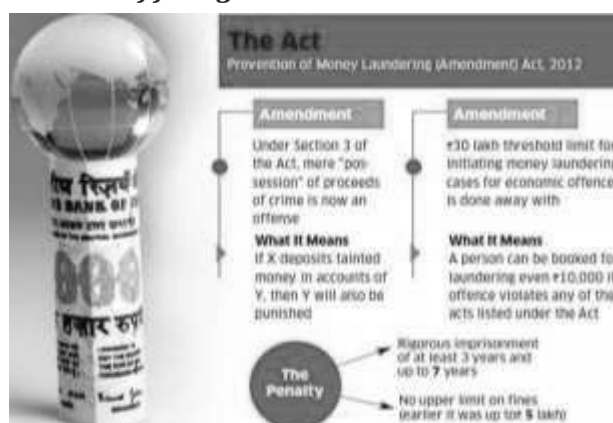
P-notes and money laundering:

- ❑ Participatory Notes (**P-Notes**) are **instruments used by foreign investors not registered with the SEBI** to invest in Indian securities. They are issued overseas against underlying Indian securities (like shares).
- ❑ **P-Notes hides the identity of the investor.** According to the '**White Paper**' on **black money (2012)** prepared by the central government, a considerable portion of PNs are used by wealthy individuals who uses it as a mechanism to channelize black money kept in foreign countries to India. **The Special Investigation Team (SIT) on black money also recommended the phasing out of P-Notes.**
- ❑ In addition, SEBI has no jurisdiction over P-note trading. Although FIIs must register with SEBI, the P-notes trading among FIIs are not registered, leading to concern that P-notes are being used for money laundering.

Framework for prevention of money laundering:

Statutory framework:

- ❑ The Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (COFEPOSA)
- ❑ The Smugglers and Foreign Exchange Manipulators Act, 1976 (SAFEMA)
- ❑ FEMA act 1973
- ❑ Prevention of Money Laundering (Amendment) Act (PMLA) 2012:
 - Bill has **introduced the concept of corresponding law** to link the provisions of **Indian law with the laws of foreign countries.**



- It also **adds the concept of reporting entity** which would include a banking company, financial institution, intermediary or a person carrying on a designated business or profession.
- The Prevention of Money Laundering Act, 2002 **levied a fine up to Rs. 5 lakh**. The amendment act has removed this **upper limit**.
- The act has provided for **provisional attachment and confiscation of property** of any person (for a period not exceeding 180 days). This power may be exercised by the authority if it has reason to believe that the offence of money laundering has taken place.
- The **bill expands the definition of offence** under money laundering to include activities like concealment, acquisition, possession and use of proceeds of crime.

- ❑ PMLA, 2018:
 - **Amendment in definition of “proceeds of crime”:** It now allows the ED to proceed against assets of equivalent value located even outside the country.
 - **Bail provisions:** It also makes the applicability of bail conditions uniform to all the offences under PMLA. The proposal comes after the Supreme Court recently struck down the previous stringent provisions.
 - **Corporate frauds:** Corporate frauds is being included as scheduled offence under PMLA, so that Registrar of Companies can report such cases for action by Enforcement Directorate for money laundering probe.
 - **Details sharing:** The amendment also makes it **mandatory for the ED to share** relevant details with other agencies.
 - **Restoration of property:** The amendment allows special court to restore confiscated assets to the rightful claimants even during the trial. Earlier, the assets could be restored only after completion of the trial.

Institutional framework:

- ❑ **Enforcement Directorate** for investigation and prosecution of cases under the PML. The Directorate is under the administrative control of Department of Revenue for operational purposes
- ❑ **Financial Intelligence Unit- India (FIU-IND)** for receiving, processing, analysing and disseminating information relating to suspect financial transactions as well as for coordinating and strengthening efforts of national and international intelligence, investigation and enforcement agencies against money laundering. FIU-IND is an independent body reporting directly to the Economic Intelligence Council (EIC) headed by the Finance Minister.
- ❑ **Various agencies were created-** Financial intelligence Unit, Combating financing of terrorism cell, Terror funding and fake currency cell.

United Nations Global Programme Against Money Laundering (GPML)

GPML was established in 1997 with a view to increase effectiveness of international action against money laundering through comprehensive technical cooperation services offered to Governments. The programme encompasses following 3 areas of activities, providing various means to states and institutions in their efforts to effectively combat money laundering. Three further Conventions have been adopted for Money Laundering related crimes:

1. International Convention for the Suppression of the Financing of Terrorism(1999)
2. UN Convention against Transnational Organized Crime (2000)
3. UN Convention against Corruption (2003)

International coordination:

Since money laundering is an international phenomenon, transnational co-operation is of critical importance in the fight against this menace.

- ❑ **FATF:** FATF is an intergovernmental body **established by the G7 summit** in Paris in 1989 and responsible for setting **global standards** on anti-money laundering and combating financing of terrorism. Blacklisting of countries by FATF.
- ❑ **OECD: Automatic Exchange of Financial Information** by many countries as part of the OECD initiative.
- ❑ **BEPS: Base Erosion and Profit Shifting** (BEPS) initiative, under which the countries have agreed to take necessary measures.
- ❑ **UN convention against illicit traffic:** It combats **drug trafficking** organizations by **emphasising attacking the goal** of all organised crime, and also its weakest point namely money itself.
- ❑ **UN convention against organised crime:** It is designed to combat the **phenomenon of transnational organised crime**.
- ❑ **Vienna convention** It was the first major initiative in the prevention of money laundering held in December 1988. This convention **laid down the groundwork for efforts to combat money laundering** by obliging the member states to criminalize the laundering of money from drug trafficking.
- ❑ **The Council of Europe Convention-** This convention held in 1990 establishes a common policy on money laundering to facilitate international cooperation

- ❑ ***The Egmont Group Of Financial Intelligence Units*** is an informal network of national financial intelligence unit.
- ❑ ***Asia Pacific group:*** It works with countries in the Asia-Pacific to generate wide regional commitment to implement anti-money laundering policies and initiatives and secure agreement to establish a more permanent regional anti- money laundering body.
- ❑ ***Basel Committee on Banking Regulations and Supervisory Practices*** issued a statement of principles which aims at encouraging the banking sector to adopt common position in order to ensure that banks are not used to hide or launder funds acquired through criminal activities.
- ❑ India is also signatory to the International Convention for Suppression of Financing of Terrorism (1999); the United Nation Convention against Transnational Organised Crime (2000); and United Nation Convention against Corruption (2003).

What can be done:

- ❑ ***Enlist common predicate offences:*** to solve the problem internationally particularly keeping in mind the trans- national character of the offence of money laundering.
- ❑ ***Awareness and education:*** To infuse a sense of watchfulness towards the instances of money laundering which would also help in better law enforcement as it would be subject to public examination
- ❑ ***Proper Coordination between centre and States:*** The more decentralised the law would be the better reach it will have.
- ❑ ***Law in every country:*** The key to making an impact in money laundering is to get all of the countries of the world to enact and enforce the same laws dealing with money laundering so the criminals have nowhere to go.
- ❑ ***Special cell dealing with money laundering activities:*** It should be created on the lines of Economic Intelligence Council (EIC) exclusively dealing with research and development of anti-money laundering. This Special Cell should have link with INTERPOL

and other international organizations dealing with money laundering. All key stakeholders, like, RBI, SEBI etc. should be a part of this.

- ❑ There is a requirement to have a ***convergence of different enforcement agencies***, sharing of information is necessary.
- ❑ Laws in line with conventions: Countries should criminalise money laundering on the basis of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 (the Vienna Convention) and the United Nations Convention against Transnational Organized Crime, 2000

Treating Money laundering as a separate offense:

- ❑ ***Central government is considering a proposal*** to make money laundering a separate criminal offence to be investigated by the Enforcement Directorate, irrespective of a probe by other agencies
- ❑ Money laundering can be ***regarded as a multiplier of criminal activities*** as it gives economic power to criminals
- ❑ The current arrangements in India leave the fate of money laundering cases on probes and prosecution by multiple agencies because the ***definition of “proceeds of crime” is dependent on predicate offences listed under schedule of PMLA act.***
- ❑ Thus, fighting money laundering without fighting organized crime is a waste of time and efforts.
- ❑ Money laundering as a separate offence begins where the intention to conceal the illicit money ends and it needs to be treated separate offence to break the link between money laundering and organized crime and speed up investigations

Significance of treating as separate offence:

- ❑ ***Financial Action Task force (FATF) in its review in 2010 and India’s Special Investigation Team (SIT) on black money had also recommended*** the same as this

will facilitate quick action against those indulging in money laundering.

- ❑ ***Further it will bring India's law in line with foreign practices such as U.K*** where money laundering is treated as a stand-alone crime and based on circumstantial evidence, they have to just establish that the proceeds had a criminal origin, rather than waiting for the outcomes of various other probes.

Reason for emergence of FATF as effective body:

- ❑ It follows a consensus-based model of decision making with no overriding voting rights to any of its members. Thus, countries cannot prevent blocking of finance as in UN
- ❑ It has adopted a ***policy of "naming and shaming"*** "with focus on correction. The country can be placed on a list and then removed thereafter seeing the progress made to implement the guidelines. It ensures an improvement in countering terror funding & money-laundering.
- ❑ The basis of ***listing countries by the FATF is on the basis of their compliance with transparent guidelines*** and their effective implementation.
- ❑ ***Its actions are based more on technical parameters*** formed after objective and professional analysis and less on geopolitical considerations.
- ❑ It ***gains credibility by its ability to hurt a country's economic well-being*** as its indication of a country's non-compliance with its guidelines affect its ratings with banks, financial institutions and other countries.
- ❑ It scrutinizes not just the laws of a country but also their implementation.

In 2019, The Asia-Pacific Group (APG) on Money Laundering, a regional affiliate of the Financial Action Task Force (FATF), has placed Pakistan in the "Enhanced Expedited Follow Up List (Blacklist)" for its failure to meet its standards.

FATF's key recommendations:

- ❑ Identify, assess and take effective action to mitigate their money laundering and terrorist financing risks.

- ❑ Countries should have anti-money laundering policy and should designate an authority that is responsible for such policies.
- ❑ Criminalise on the basis of the Vienna Convention and the Palermo Convention.
- ❑ Enable competent authorities to confiscate property and proceeds from money laundering.
- ❑ Ensure that financial institution secrecy laws do not inhibit implementation of these measures.
- ❑ Prohibit financial institutions from keeping anonymous accounts.
- ❑ Require financial institutions to maintain all records on transactions.
- ❑ Money transfer services providers should be licensed or registered.
- ❑ Identify risks that may arise with development of new technologies.
- ❑ Ensure that financial institutions monitor wire transfers.
- ❑ Ensure that FI's foreign branches and subsidiaries apply these measures.
- ❑ Financial Institutions should report suspicious transaction to FIUs.
- ❑ Establish financial intelligence unit (FIU).
- ❑ Ensure that designated law enforcement authorities have responsibility for money laundering and terrorist financing investigations.
- ❑ Take immediate steps to become party to important global conventions framed to combat money laundering.
- ❑ Provide mutual legal assistance in relation to money laundering.
- ❑ Effectively execute extradition requests in relation to money laundering and terrorist financing.

Measures to stop fake currency:

- ❑ It is necessary to stay ahead of ***counterfeiters***. RBI needs to constantly ***upgrade*** both ***paper based*** (water mark) and ***print based*** (optical variable ink, see through effect) ***security features***.

- ❑ Promote **digital transactions** and increase digitisation of economy.
- ❑ Frequently **demonetise** higher denomination notes like Rs.500 and Rs.2000.
- ❑ Increase **cooperation** among law enforcement agencies, border security agencies, police, etc.
- ❑ External dependence on security paper and ink could be reduced by increasing **indigenous production**. As most the paper is imported from EU, it can be asked to keep tight monitoring over currency rated printing in Pakistan.
- ❑ **Intergovernmental groups** have also taken action against the rising levels of global money laundering.
- ❑ Promotion of The Basel committee on Banking regulations and adopted a statement of principles that targeted money laundering.
- ❑ **Promotion of The Vienna Convention** creates an obligation for signatory states to criminalize the laundering of money from drug trafficking.
- ❑ **Promote a regional approach** to addressing problems, develop and maintain strategic relationships with other organizations.

Suggestions:

- ❑ More **strict laws related to Anti-money laundering is necessary** because money laundering tends to corrupt even the most professional players in the market.
- ❑ There is a **need to sensitize the Private Sector** about their role in anti-money laundering activities
- ❑ Continuous up-gradation and dissemination of information is necessary
- ❑ There is a **need to build a balance between financial confidentiality and this confidentiality turning to a money-laundering haven.**
- ❑ International regimes attempt to monitor or regulate international relations and activities.

Previous Years UPSC Questions

1. Money laundering poses a serious threat to country's economic sovereignty. What is its significance for India and what steps are required to be taken to control this menace? **(2013).**
2. India's proximity to two of the world's biggest illicit opium-growing states has enhanced her internal security concerns. Explain the linkages between drug trafficking and other illicit activities such as gunrunning, money laundering and human trafficking. What countermeasures should be taken to prevent the same? **(2018)**

- ❑ India has a land border of over **15,000 kms**, which it shares with **seven countries** (Pakistan, China, Bangladesh, Nepal, Myanmar, Bhutan, and Afghanistan).
- ❑ Further, it has a coastline of over **7,500 kms**. Thus, it becomes important that we develop capabilities to protect our border areas in varied terrains, with multiple countries with whom we have very different security relationships.
- ❑ In Indian case, borders are quite complex and almost every type of extreme geography is present at different borders viz. **deserts, fertile lands, swampy marshes or tropical evergreen jungles**. There is cross border **smuggling**, problem of **drugs, cattle, humans, artefacts, fake Indian currency note** (FICN), etc.

Challenges of Border Security:

Borders are the lines which separate the territories of two or more sovereign nations. There are three aspect of border in international scenario:

1. Land borders
2. Maritime boundaries
3. Airspace

All these three borders are exploited by the enemy to create instability in the country.

Issues Related to Border Management in India:

- ❑ **Porosity of borders:** International borders with **Pakistan and Bangladesh** run through diverse terrain including **deserts, marshes, plains and mountains**. This porosity of borders facilitates various illegal activities such as **smuggling, trafficking of humans, drugs and arms and infiltration**.



- ❑ **Contested International borders:** History of **mistrust** and constant border **skirmishes** with Pakistan along line of control (LOC) makes India highly susceptible to **cross-border terrorism**. Similarly, India's border with **Myanmar** is **threatened by several insurgent groups** that have **found sanctuaries in jungles** along the border. Political boundary issues of **"enclaves and adverse possessions"** in **Bangladesh** have resulted in political sensitivity along the entire eastern border.
- ❑ **Inefficiency in Border management:** Indian borders continue to be guarded by military and police forces that report to different ministries in the Centre and states, making the border management task arduous and leading to duplication of efforts by the security forces.
- ❑ **Lack of critical infrastructure:** Critical infrastructure such as observation towers, bunkers, Border Flood Lights etc. are lacking in many border areas which also prevent deployment of hi-tech equipment.

- ❑ **Poor intelligence and resource efficiency:** Security forces are ill-equipped to handle border management given poor intelligence capabilities and severe resource deficiency.
- ❑ **Ethnic conflicts and separatist movements:** The situation has worsened due to the changed demographic profile of many Border States and shift in ethnic balance of communities as a result of illegal migration.
- ❑ **Over-population in the border areas:** Density of population in the border areas at some places is approximately 700-800 persons per square km on the Indian side and about 1,000 persons on the Bangladesh side.
- ❑ **Political instability and disorder** in its periphery impacts India's security directly or indirectly. Proxy war between India and Pakistan adds to this security risk.

India's Land Boundaries Scenario:

- ❑ Bangladesh (4,096 km).
- ❑ China (3,488 km).
- ❑ Pakistan (3,323 km).
- ❑ Nepal (1,751 Km).
- ❑ Myanmar (1,643 Km).
- ❑ Bhutan (699 Km)
- ❑ Afghanistan (106 Km)

India-Pakistan Border:

- ❑ This segment of border is mainly divided into three different parts:



1. **Radcliff line** from Gujarat to parts of Jammu district in Jammu and Kashmir (length of 2308).
 2. **Line of Control (LOC)** runs along the district of Jammu and some portion of Leh.
 3. **Actual Ground Position Line (AGPL)** from NJ 9842 to Indira col.
- ❑ This is **spread across extreme climatic conditions** given that the boundary runs from the hot Thar Desert in Rajasthan to the cold Himalayas in Jammu and Kashmir.
 - ❑ The last two segment of border (LOC and AGPL) are the **zone of tension** between the forces of two countries. Along with the vulnerability of **infiltration by terrorists** from other side of border takes place in the region of LOC.
 - ❑ The India-Pakistan border **does not follow the geographical barrier** so it runs through different climatic condition such as from desert, marshes, plains and by the peak of lofty mountain ranges these conditions along the border area has made border very porous in nature which has facilitated the various illegal activity in the region like:
 - Trafficking of drugs (proximity to golden crescent) and arms.
 - Infiltration.
 - Fake Indian Currency Notes (FICN)
 - Activities of money laundering are also rampant in this border zone.
 - Presence of Hawala networks.
 - Safe havens for terrorists and secessionist elements.
 - Indus River water sharing issue
 - ❑ Along with these illegal activities, the **propaganda front** which is used by Pakistan to erode the trust of people living in border areas towards the Indian government.
 - ❑ Increased **instability in the region of Jammu and Kashmir** due to money and material support from Pakistan gave rise to the **secessionist militants** in the border region.

Challenges along Indo-Pak Border:

- ❑ Border dispute at **Sir Creek and Kashmir**.
- ❑ River water sharing issue at **Indus river**.
- ❑ **Infiltration and Cross-border terrorism** targeted to destabilize India. Recently BSF detected a fifth (since 2012) cross-border tunnel in the forest area of Jammu.
- ❑ **Diverse terrain** including desert, marshes, snow-capped mountain and plains makes border guarding difficult.
- ❑ **Time & cost overruns in infrastructure projects** due to unforeseen circumstances & natural calamities.
- ❑ Other issues include **drug smuggling, fake currency, arms trafficking**.

Recent government initiatives:

- ❑ Following **Pathankot terrorist attack**, MHA sanctioned implementation **Comprehensive Management System (CIBMS)** to establish an integrated security system at borders providing all round security even in adverse climatic conditions.
- ❑ The Centre has decided to deploy **Indian special forces unit National Security Guard (NSG)** fortify counter terror operations by Commandos in J&K to training J&K police and other paramilitary forces in room intervention, anti-terror skills, overseeing anti-hijack operations etc.

Indo-China Border:

- ❑ India and China share a **3,500 km** long boundary. Unfortunately, the **entire boundary is disputed**. The line, which delineates the boundary between the two countries, is popularly called the **McMahon line**, after its author Sir Henry McMahon.
- ❑ India and China border can be **divided into three parts** i.e. western sector, central sector and eastern sector. The line which separates the India and China is McMahon line however China recognizes **McMahon line as illegal**.
- ❑ Present demarcation is **informal cease-fire line** between the India and China after the 1962 conflict until 1993, when officially recognized as **'line of Actual control'** in a bilateral agreement between India and China.

Tension over the areas:



- ❑ Region of Aksai Chin is claimed by India and occupied by China and some Indian territory which is **seceded by Pakistan to China in Kashmir**.
- ❑ Claim of China over the region of **Arunachal Pradesh** (under its cartographic aggression)
- ❑ Main conflict between India and China will be the **issue of eastern sector of Arunachal Pradesh**.
- ❑ The attempt by the People's Liberation Army (PLA) to escalate tension in the **tri junction of the India-China** Middle Sector of the boundary at **Doklam** is a new development.
- ❑ China's renewed **aggression in Ladakh** where both sides lost army personnel. China also raised objection over **changed status of Ladakh** as union territory.
- ❑ Large scale **smuggling of Chinese electronic** and other consumer goods.
- ❑ **Inadequate infrastructure** due to difficult terrain.
- ❑ **Multiple forces** along Indian border (for example, ITBP, Assam rifles, Special frontier force) as opposed to single PLA commander on Chinese side.
- ❑ **Water sharing issue** as China is building dams on its side reducing water flows on our side.

Recent Government Initiatives:

- ❑ **Creating infrastructure:** India is also constructing some critical bridges to cut down time for troop movement **such as Dhola- Sadiya bridge**.

- ❑ *India has joined hands with Japan* to aggressively develop infrastructure projects in North east to contain China.
- ❑ *Army infrastructure projects* within 100 Km of LAC have been exempted from forest clearance.
- ❑ *To expedite border road construction*, Ministry of Defence has decided to delegate administrative and financial powers to the Border Roads Organisation (BRO).
- ❑ Creation of *Chief of Defence staff (CDS)*.



India and Bangladesh Border:

- ❑ Basis of border is '*Bengal Boundary commission*'. This boundary does not follow the natural barrier which is associated with river valley and meandering rivers make this border extremely porous and with many disputed pockets.
- ❑ India and Bangladesh share **4096.7 km. of the border**, which is the **longest land boundary** that India shares with any of its neighbors. It shares the borders with the **Indian states of Assam, West Bengal, Tripura, Meghalaya, and Mizoram**.
- ❑ There exist also such areas which are **Undermarketed stretches** and also existence of enclaves (Chhitmohols) are source of constant conflict.

Mains challenges between India and Bangladesh border:

- ❑ *Illegal migration*- Since the 1971 war of independence that created the state of Bangladesh, millions of Bangladeshi immigrants (the vast majority of them illegal) have poured into India.

- ❑ *Rohingya crisis* (religious persecution) has also added to it as 40,000 Rohingya refugees were estimated in India in 2017.
- ❑ *Inadequate border fencing* due to issues such as riverine areas, protests by residing population, pending land acquisition etc.
- ❑ *Trafficking of Narcotics and goods*- like jamdani sarees, rice salt etc. as well as cattle smuggling.
- ❑ *Cattle and Arms Smuggling*- It's a big unique problem with this border. It is said that if India restricts this supply then it can starve Bangladeshis of food. Cattle from as far as Haryana, UP, Bihar is taken to borders for grazing and then smuggled to Bangladesh. Bangladesh also imposes custom duty on these imports.
- ❑ *Threat from Bangladesh* assumes serious dimensions since it became a base for northeast insurgent groups like ULFA and Naga factions.
- ❑ Due *poverty and porous border nefarious activities* along the border are flourishing.
- ❑ Various *river sharing dispute* between India and Bangladesh- Feni River, Teesta river, construction of Dam by India on Barak river.
- ❑ Fake Indian Currency Notes
- ❑ Organized crime.

Recent Government Initiatives:

- ❑ India Bangladesh Land Boundary Agreement, 2015.
- ❑ Government has announced the establishment of **Border Protection Grid (BPG) with Indo- Bangladesh Border States**.
- ❑ A **crime-free stretch** has been established between the BSF border posts at Gunarmath and Kalyani and the BGB (Border Guards Bangladesh) border posts at Putkhali and Daulatpur.
- ❑ *Installation of Border surveillance devices* such as closed-circuit cameras, search-lights, thermal imaging devices and drones to keep a tight vigil.
- ❑ *The BSF and BGB have also been raising awareness* among the locals regarding crime prevention in the border area.

- ❑ **Coordinated Border Management Plan (CBMP)**- aims to synergize the efforts of both the Border Guarding Forces for checking cross border illegal activities and crimes as well as for maintenance of peace and tranquility along the India-Bangladesh border.

Indo-Nepal Border:

- ❑ Himalayan country shares **about 1700 Kms** border with India across five Indian States- Uttarakhand, Uttar Pradesh, Bihar, West Bengal and Sikkim. An estimated **6 million Nepalese** live and work in India.



- ❑ Indo-Nepal border is governed under **Sagauli Treaty 1816**.
- ❑ India and Nepal have **shared an open border since 1950**. The conception of such a border can be found in the **Treaty of Peace and Friendship** that the two countries signed that year. Provisions in the treaty, wherein citizens of both countries are **given equal rights** in matters of residence, acquisition of property, employment and movement in each other's territory, provide for an open border between the two countries.
- ❑ Free movement of people across the border and **strong people to people tie-up**. This base of this good relationship is due friendship treaty of 1950.
- ❑ **Open border has been a great facilitator** of strong and unique bilateral relations. At the same time, it has given rise to **many irritants and problems** that raise serious concerns. Allegations of excesses such as intimidation and forcible grabbing of land by either side

along the disputed border also surface from time to time.

- ❑ There are dispute over the some areas due to **shifting course of Himalayan river** i.e. **Kalapani and Susta disputes**.
- ❑ Many terrorist organisations and **Naxalites** have fully exploited open borders with Nepal.
- ❑ Open border with Nepal facilitated movement of terrorists and insurgents which created instability in the country fueling the separatist movement in Kashmir and insurgency problem in north-east.
- ❑ **Many criminals** from both sides escape the countries.
- ❑ **ISI and other terrorist's organizations** are using Nepal as a transit route and operate from the soil of Nepal.

Recent Government Initiatives:

- ❑ **Establishment of a new intelligence section** in SSB at Indo-Nepal and Indo-Bhutan border to ensure better operational efficiency.



- ❑ **Establishment of Border District Coordination Committee** at the level of district officials of the two countries to discuss issues of mutual concern.
- ❑ The Government of India has **approved construction of 1377 km of roads along Nepal border**.

- ❑ Development aid to Nepal to prevent human trafficking owing to lack of employment opportunities there
- ❑ 200 bed **Nepal Bharat Maitri Emergency and Trauma Centre** in Kathmandu.

Indo-Myanmar Border:

- ❑ Myanmar shares a long land border of **over 1600 Km** with India as well as a **maritime boundary** in the Bay of Bengal.
- ❑ Four North-Eastern States viz. **Arunachal-Pradesh, Nagaland, Manipur and Mizoram** share international boundary with Myanmar. Both countries share a heritage of religious, linguistic and ethnic ties.
- ❑ There are **only few disputed pockets** and boundary is **properly demarcated**.
- ❑ The **difficult terrain** and **presence of dense forest** create hurdle in border guarding.
- ❑ The problem of **insurgency and inter-tribal conflicts**.
- ❑ **No fencing** between the boundary of India and Myanmar provides easy safe haven in soils of Myanmar.
- ❑ Close tie between the tribal groups across the border.
- ❑ **Free movement Regime:** Insurgents are misusing FMR to cross-over to Myanmar and receive training and acquire arms.
- ❑ **Drug trafficking** due to proximity to golden triangle.
- ❑ **Weak borders as there is practically no physical barrier** along the border either in the form of fences or border outposts and roads to ensure strict vigil.
- ❑ **Poor Infrastructural facilities at Moreh and Zokhawatar**– the two designated points for normal trade and border trade.
- ❑ As north-eastern India is close to the area of **“golden triangle”** region trafficking of drugs takes place.
- ❑ **Smuggling** of arms, precious stones and Chinese made items to Indian territories.

Recent government initiatives:

- ❑ **13 new Integrated Check Posts (ICPs)** to encourage India's engagement with SAARC countries along with Thailand and Myanmar.

ICP is able to interdict such elements while facilitating legitimate trade and commerce.

- ❑ Indian government along with the government of Myanmar trying to curb these illegal activities in the north-east. Deployment of Assam rifles to this border.
- ❑ Along with the ongoing peace deal in region and effort of Indian army.

Indo- Bhutan Border:

- ❑ India and Bhutan **share a about 669 km long boundary**. The boundary is demarcated **except** along the tri-junction with China. The process of demarcation of the India-Bhutan border **started in 1961** and was completed in 2006. Like with Nepal, India's boundary with Bhutan is also an open boundary. Whole boundary is demarcated except the tri-junction with China.
- ❑ The **border was peaceful till Indian insurgent groups established camps** in the southern districts of Bhutan. This problem has been effectively dealt with during the Bhutanese government's Operation All Clear, which saw the destruction and uprooting of all insurgent camps in Bhutanese territory.
- ❑ Recently the tri-junction dispute India helped Bhutan to maintain its territorial integrity of Bhutan against Chinese aggression.

Issues with Bhutan Border:



- ❑ **Insurgency**- Many groups such as Bodo, ULFA etc. sneak into Bhutan for sanctuary despite their army driving them out.

- ❑ **Smuggling** of goods such as **Bhutanese cannabis, liquor and forest products**.
- ❑ Free movement of people and vehicle leading to issues such as during the

Gorkhaland movement in West Bengal.

- ❑ Open border regime with Bhutan.
- ❑ Hiding place for insurgent of north-east.
- ❑ Event of illegal activities like smuggling also takes place.

Recent government initiatives:

- ❑ **Bilateral cooperation**- A Secretary level bilateral mechanism in the shape of an India-Bhutan Group on Border Management and Security.
- ❑ **Cooperation with their army** to prevent sanctuary to insurgents in their soil.
- ❑ Establishing **new border posts in Sikkim** along the Bhutan frontier near Doklam.
- ❑ The Union environment ministry has given a **"general approval" for the diversion of forest land for major border infrastructure** projects along the eastern border with Bhutan, Myanmar and Nepal.

Securing the Borders:

The MHA comprehensive Integrated Border Management system (CIBMS).

Key points of CIBMS are:

- ❑ High-tech surveillance devices such as sensors, detectors, cameras, ground-based radar systems, micro-aerostats, lasers etc to provide whole year and around the clock surveillance.
- ❑ **Efficient communication network** including fibre optics cables and satellite communication.
- ❑ A command and control centre to which data will be transmitted for proper analysis.
- ❑ **CIBMS** tries to integrating human resources, weapons and high-tech surveillance though all climatic condition which is humanly not possible technology will work as eye and ears of armed forces.

Other ways of securing borders can be:

- ❑ Providing adequate human resource and equipments to the border forces of countries.

- ❑ Building of fences and erecting floodlights.
- ❑ Creating the effective number of check post along the border.
- ❑ Creating the physical infrastructure for movement of forces and logistics i.e. road
- ❑ Night vision technology to the personnel's serving in border areas.
- ❑ Thermal imaging technique.
- ❑ Tower building for effective eye keeping.
- ❑ Vital in border security is to curb the sources of finance to these illegal groups.
- ❑ The stability of country brings the **full utilization of Human resource potential** of the country and brings the economic development and **peace and prosperity** in the country so, border management is a key issue for whole round development of country.

General Issues:

- ❑ Ideally, border management should be the responsibility of the **Ministry of Home Affairs** during peacetime.
- ❑ However, the active nature of the LoC and the need to maintain troops close to the LAC in a state of readiness for operations in high altitude areas, have compelled the army to permanently deploy large forces for this task.

G P Bhatnagar has identified the following lacunae:

1. Deployment of **multiple forces in the same area** of operations;
2. Problem aggravates with **lack of coordination and synergy** between the security management organizations.
3. Lack of any **doctrinal concepts**;
4. Security strategies are designed for a **'fire-fighting'** approach rather than a **'fire prevention'** or proactive approach;
5. Responses of security forces are based on a strategy of **'reaction and retaliation'** rather than on holistic response to a situation,
6. All this result into **stress and decision-making problems** at the functional level; wastage of energy and efforts.

Recommendations For Better Border Management:

- ❑ The principle of **'Single Point Control' Or "One-Force-One-Border" principle** must be followed if the borders are to be effectively managed. Divided responsibilities never result in effective control
- ❑ The **advances in surveillance technology**, particularly satellite and aerial imagery, can help to maintain a constant vigil along the LAC and make it possible to reduce physical deployment as and when modern surveillance assets can be provided on a regular basis to the formations deployed forward.
- ❑ Similarly, the availability of a larger number of **helicopter units** will enhance the quality of aerial surveillance and the ability to move troops to quickly occupy defensive positions when it becomes necessary.
- ❑ The recent nomination of the **Central Reserve Police Force (CRPF)** as the **national-level counterinsurgency force** should enable the other central para-military forces (CPMFs) like BSF and ITBP to return to their primary role of better border management.
- ❑ It is also recommended that **all Para-military forces managing unsettled borders** should operate directly under the control of the army.
- ❑ There should be **lateral induction from the army to the para-military forces** so as to enhance their operational effectiveness.
- ❑ **External threats to India's security are not the only border** management issue dealt with at present by the national security apparatus. In recent past, India's rate of growth has far outpaced that of most of its neighbours and this has generated problems like mass migrations into India.

Border Infrastructure:

- ❑ Recently, Government accepted and implemented three important recommendations of **Shetkar Committee** relating to border Infrastructure.
- ❑ **Three recommendations** were related to speeding up road construction, leading

to socio economic development in border areas. They were:

1. **Outsourcing** road construction work beyond optimal capacity of Border Roads Organisation (BRO). **Engineering Procurement Contract (EPC) mode** is made mandatory for execution of all works costing more than Rs 100 crore.
2. Introduction of **modern construction plants, equipment and machinery** by delegating enhanced procurement powers from Rs 7.5 crore to Rs 100 crore to BRO, for domestic and foreign procurements.
3. **Land acquisition** and all statutory clearances like forest and environmental clearance are made part of approval of Detailed Project Report. Work can be awarded only after at least 90% of statutory clearances have been obtained.

Need for Border Infrastructure:

- ❑ **Imperative to National security:** India's border is vulnerable to political instability, cultural radicalism and patronage of terrorism arising from the neighbouring countries.
- ❑ **Matching Neighbouring countries' Infrastructure** along the border like that of China's. It laid roads, railway line, and communication network, including fibre optics along the border.
- ❑ For developmental needs and well-being of people living in border areas.
- ❑ **Tactical and strategic mobility** is impeded by lack of Infrastructure resulting in predictability of operations.
- ❑ **For facilitation of legitimate trade and travel** along with supervision to control smuggling, trafficking, crime, terrorism and illegal migration can increase.

Limitations in Developing Border Infrastructure:

- ❑ **Poor implementation:** In 2017, CAG pointed out that of the **73 roads allotted** in border areas, only 22 roads were completed by March 2016. Similar was the case with **14 strategic railway lines**.

- ❑ **Lack of monitoring** resulting in **defective construction of roads** including faulty design, poor riding conditions, inadequate drainage facilities etc.
- ❑ **Multiple authorities managing the border:** India has Army, Indo-Tibetan Border Police, Border Security Force and Assam Rifles for border management, unlike China which has one command for its security forces managing border, indicating cohesiveness.
- ❑ **Lack of unity of command:** Management becomes slightly inefficient because in some places the **Ministry of Home Affairs** (MHA) is responsible and in other places the **Ministry of Defence** (MoD) is responsible.
- ❑ **Staff deficiency and lack of modern equipments:** BRO is battling staff deficiency, lacks skilled workforce, too much dependence on local contractors.
- ❑ **Lack of adequate allocation of funds** for infrastructure, even pointed out by army.

Steps Taken in Recent Times:

- ❑ **Border Area Development Programme (BADP):** Main objective of the BADP is to meet the special developmental needs and well-being of the people living in areas situated near the International Boundary (IB).
- ❑ **Border Infrastructure and Management (BIM)** which includes 60 projects like construction of roads, schools, primary health centers, helipads, promotion of border tourism etc.
- ❑ **Completion of Indo-China Border roads:** Of 61 roads planned in 1st phase, 36 have been constructed.
- ❑ **Expediting forest clearances:** For taking up border infrastructure works, Government accorded **General approval under Forest (Conservation) Act, 1980**.
- ❑ **Creation of National Highways & Infrastructure Development Corporation Limited (NHIDCL):** NHIDCL took over several projects from BRO to address delay in execution.

Role of Technology in addressing Border Management Issues:

- ❑ **Upgrading existing system:** Technology can be integrated with the existing systems to facilitate better detection and interception by the man behind the machine. At present, border guarding is **almost fully dependent on human surveillance**. This makes border management a time-consuming and complex task.
- ❑ **Checking infiltration:** It can be help to detect infiltration via land, underwater, air and tunnels by deploying close circuit television cameras, thermal imagers and night vision devices etc.
- ❑ **Facilitate Cross Border Trade:** For example Blockchain technology can help quickly and securely process transactions, it also makes much easier to identify and trace illegitimate trade.
- ❑ **Improved Intelligence inputs and Surveillance:** through Remote sensing satellites, radar satellites and satellites with synthetic aperture radar (SAR) sensors which are capable of providing day and night All terrain and all-weather inputs.
- ❑ **Madhukar Gupta Committee on border protection** had recommended the Union Government to **strengthen border protection and address vulnerabilities in fencing** along the Indo-Pakistan border. This led to **implementation of CIBMS in 2015**.

Way Forward:

- ❑ **Dispute resolution-** Government should resolve pending border disputes with the neighbouring countries, as they later become matters of national-security threat.
- ❑ **No diversion of security forces-** The border-guarding force should not be distracted from its principal task and deployed for other internal security duties. For e.g.-ITBP, a force specifically trained for India- China border should not be used in the Naxalite-infested areas.
- ❑ **Involvement of army-** It is felt that the responsibility for unsettled and disputed borders, such as the LoC in J&K and the LAC

on the Indo-Tibetan border, should be that of the Indian Army while the BSF should be responsible for all settled borders.

- ❑ **Developing Infrastructure-** accelerated development of infrastructure along the border, especially to wean the border population from illegal activities.

Coastal Security

- ❑ India has a shoreline of **7,516.6 km** which includes **5,422 km of coastline in the mainland** and **2,094 km** of coastline bordering the islands. There are **nine States** viz. Gujarat, Maharashtra, Goa, Karnataka, Kerala, Tamil Nadu, Andhra Pradesh, Odisha and West Bengal and **four Union Territories** viz. Daman & Diu, Lakshadweep, Puducherry and Andaman & Nicobar Islands situated on the coast.



- ❑ India's long coast line offerings a variety of security concerns that **include landing of arms and explosives at isolated spots on the coast, infiltration/ ex-filtration of anti-national elements, use of the sea and off shore islands for criminal activities, smuggling of consumer** and intermediate goods through sea routes etc.
- ❑ Several cases of the **smuggling of goods, gold, narcotics, explosives, arms and ammunition** as well as the **infiltration of terrorists** into the country through these coasts have been reported over the years.
- ❑ The smuggling of explosives through the **Raigad coast in Maharashtra** and their use in the 1993 serial blasts in Mumbai, and the infiltration of the ten Pakistani terrorists through the sea route who carried out the multiple coordinated attacks in Mumbai on **November 26, 2008**.

Factors for vulnerability:

- ❑ India's coasts are characterised by a **various range of topography** such as creeks, small bays, back waters, rivulets, lagoons, estuaries, swamps, mudflats, as well as hills, rocky outcrops, sandbars, beaches and small islands (inhabited as well as uninhabited).
- ❑ The physical closeness of India's coasts to politically volatile, economically depressed and unfriendly countries such as **Sri Lanka, Bangladesh, Pakistan** and **Gulf countries** adds to its susceptibility.
- ❑ **Unsettled maritime boundaries** not only pose grave security challenges but also hinder offshore development.
- ❑ India's maritime boundaries with **Pakistan and Bangladesh are not delineated** because of overlapping claims.

Maritime Security & Threats:

- ❑ **India faces a number of threats and challenges** that created from the sea and which are mainly sub conventional in nature. These threats are:
 1. Maritime terrorism;
 2. Piracy and armed robbery;
 3. Smuggling and trafficking;
 4. Infiltration, illegal migration and refugee influx;
 5. The straying of fishermen beyond the maritime boundary

Maritime Terrorism:

- ❑ Maritime terrorism is defined as '...the undertaking of terrorist acts and actions within the maritime environment, using or against vessels or fixed platforms at sea or in port, or against any one of their passengers or personnel, against coastal facilities or settlements, including tourist resorts, port areas and port towns or cities'.
- ❑ Sea based terrorism is not a new marvel. Nevertheless, according to a **RAND terrorism database**, sea borne attacks have constituted **only two per cent** of all international terrorist related events over the last 30 years.

Piracy and Armed Robbery:

- ❑ Piracy and armed robbery pose a **major threat to sea navigation**. Piracy by definition takes place on the high seas and, therefore, **does not fall under the ambit of coastal security**. However, in the case of India, the shallow waters of the Sundarbans have been witnessing '**acts of violence and detention**' by gangs of criminals that are akin to piracy
- ❑ Indian coasts have been vulnerable to smuggling. Gold, electronic goods, narcotics and arms have been smuggled through the sea for a long time.
- ❑ The **Gujarat-Maharashtra coast** has always been susceptible to smuggling. Physical nearness to the Gulf countries as well as Pakistan, a highly indented shoreline, a well-established criminal network, etc. have favoured wide scale smuggling through these coasts.

Infiltration, Illegal Migration and the Refugee Influx:

- ❑ India's land boundaries have always been permeable to infiltration by terrorists/militants and large-scale unlawful migration. These large-scale influxes over the decades have resulted in widespread political turmoil in the Border States.

Straying of Fishermen beyond the Maritime Boundary

- ❑ The frequent straying of fishermen into neighbouring country waters has not only **jeopardised the safety of the fishermen but has also raised national security concerns**.
- ❑ There is a general notion that since some of the maritime boundaries of India are disputed and therefore **not clearly demarcated**, fisher men inadvertently cross into the waters of neighbouring countries. In reality, however, it has been observed that the fishermen are aware of the maritime boundary but knowingly trespass into the neighbour's territorial waters for a good catch
- ❑ Trespassing by Indian fisher men in **Sri Lankan** waters also takes place regularly.

Various Issues Regarding Coastal Security In India

Lack of a cooperative mechanism- Many agencies like Navy, Coast Guard, Marine Police and other authorities are tasked with coastal security. Hence the information sharing and coordination is a main problem.

- ❑ **Multiplicity of authority-** Bureaucratic power struggle has led to multiplicity of authorities from the union, the states as well as private actors. It leads to delay in decision making while security threats require quick decisions.
- ❑ **Lack of effective surveillance mechanisms-** The government has installed the coastal radar systems, sensors and electronic surveillance systems to secure the coastal areas. Still we are incapable to use technology innovatively in coastal security.
- ❑ **Unavailability of necessary infrastructure-** The marine police stations are not working effectively due to shortage of manpower and lack of interceptor boats.
- ❑ **Lack of suitable training in counterterrorism-** Though marine police is tasked with overall coastal security but they are not skilled for counterterrorism.
- ❑ **Non-existent** of maintenance and operational mechanisms for existing naval assets.

Different Reporting Mechanism for Handling Coastal Security:	<ol style="list-style-type: none">1. Position Reporting Systems2. Fishing Vessels and License Information Management3. Biometric Identity Cards: Issuance of biometric identity cards4. Port Vessel Information Management5. Static Surveillance: Surveillance radars and Automatic Identification System (AIS) receivers
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Importance of Coastal Community Participation:

- ❑ Seaside and fishing networks are the **biggest constituents of the waterfront security system** and are among its center qualities. Powerful association of the tremendous four million solid fishing network, and the bigger beach front network, has the potential to altogether supplement endeavours of the security offices

- ❑ An **informal layer of surveillance** comprising the fishermen community-created following the 1993 Mumbai serial bomb blasts.
- ❑ By virtue of their role in surveillance and intelligence gathering, the fishermen communities are referred to as the 'ears and eyes' of coastal security.
- ❑ These fisher men groups, christened **Sagar Suraksha Dal**, 49 comprising of trained volunteers who monitor the seas and coastal waters
- ❑ To take the advantage of fisherman community government has started **various initiative**. Accordingly, steps have been taken to ensure the safety of fishermen, and to prevent the undetected entry of any fishing trawler in the coastal waters:
 - Installed with **AIS transponders**
 - Radio Frequency Identification Device (RFID to vessels
 - **Uniform registration system** for fishermen registration
 - **Colour codes** are different for different coastal states
 - **Distress Alert Transmitters** (DATs) are being provided to fisher men
 - Coastal security helpline numbers **1554** (ICG).

CUSTOMS MARINE ORGANISATION (CMO)

It created following the recommendations of the Nag Chaudhari Committee. The purpose of the committee was to suggest the optimum assets required for anti-smuggling operations as well as recommend ways to curb smuggling through the sea. Once the Indian Coast Guard was formed in 1977, the CMO was merged with the newly created organisation

Government Initiatives:

The Indian Coast Guard:

The ICG was established on February 1, 1977 on the interim in the naval headquarters, and placed under the ministry of defence (MoD). On August 18, 1978, with the enactment of **the Coast Guard Act**, the organisation formally came into being **as the fourth armed force of India**. The Act stipulates that the ICG as an armed force would safeguard the security of the maritime zones of India, and guard its maritime and national interests in such zones.

The Marine Police Force

- ❑ The marine police force was created under the Coastal Security Scheme (CSS) that was launched in 2005. The aim of the CSS was to strengthen infrastructure for patrolling and the surveillance of the coastal areas, particularly the shallow areas close to the coast.
- ❑ Mandated to patrol the territorial waters (12 nautical miles into the sea)

Present Coastal Security System:

There is a multi-tier arrangement for protection and maritime security of the country involving the Indian Navy, Coast Guard and Marine Police of the coastal States and Union Territories.

1. The surveillance on the high seas is carried out along the limits of EEZ (exclusive economic zone) by the Navy and the **Coast Guard**.
2. In the territorial waters, the **Coast Guards** protect the Indian interests with vessels and through aerial surveillance.
3. Close coastal patrolling is done by **State Marine Police**. The State's jurisdiction extends up to 12 nautical miles in the shallow territorial waters.

Post '26/11' Initiatives in Coastal Security Architecture

The mind-set that coastal security is not an essential component of national security eventually changed after the terrorist attacks in Mumbai on **November 26, 2008**.

Multi-Layered Surveillance System:

- ❑ A multi-layered system of surveillance of the country's maritime domain involving the Indian navy, coast guard, marine police, customs and the fisher men had come into being following the series of measures that were implemented over the years to secure India's coasts prior to the Mumbai terrorist attacks in 2008.

Monitoring, Control and Surveillance of Fishermen

- ❑ Monitoring the movements of thousands of fishermen and their fishing boats/trawlers which venture into the sea every day is essential to ensure fool proof security of India's coastal areas.

- Accordingly, steps have been taken to ensure the safety of fishermen, and to prevent the undetected entry of any fishing trawler in the coastal waters.

Coastal Security Scheme:

- Ministry of Home is executing a comprehensive ***coastal security scheme*** (CSS) to strengthen security infrastructure of Marine Police Force.
- It seeks to strengthen patrolling and surveillance of coastal areas.

Joint Operations Centres:

- ***JoC*** have been set up by the Indian Navy as ***command and control hubs*** for coastal security at Mumbai, Visakhapatnam, Kochi and Port Blair.

Central Marine Police Force (CMPF):

- Recently, the Union Home minister approved a proposal to set up a Central Marine Police Force to protect sea, coasts, ports and vital institutions with the following rationale:
- The central marine police force can police water up to 12 nautical miles from the coast and investigate crimes committed in the coastal water.
- The ***equipment required*** for marine policing is completely different from that available in a regular police station (For ex- boats) as well as good coordination with the Coast Guard and Navy.

Way Forward:

- ***Use of technology-satellite-guided friend or foe identification system of the Indian Space Research Organisation*** with a ***two-way messaging system*** in all local languages.
- Recruit sailors who are about to retire, to man the state maritime police forces.

- ***Involvement of Fishermen and coastal communities*** in the comprehensive coastal security plan as 'eyes and ears' of security agencies.
- ***Capacity building of the maritime police*** force both in terms of training as well as resources should be done at equivalence with other maritime security agencies like Navy and Coast Guard.
- ***Upgradation of coastal security infrastructure*** with modern equipment's and gadgets.
- There is a suggestion that the Coast Guard, which comes under the Defence Ministry's jurisdiction, will now be placed ***under the Union Home Ministry*** and designated as the ***National Maritime Police (NMP)***.

Previous Year Questions:

1. The north-eastern region of India has been infested with insurgency for a very long time. Analyse the major reasons for the survival of armed insurgency in this region.- **2016**
2. Human rights activists constantly highlight the view that the Armed Forces (Special Powers) Act, 1958 (AFSPA) is a draconian act leading to cases of human rights abuses by the security forces. What sections of AFSPA are opposed by the activists? Critically evaluate the requirement with reference to the view held by the Apex Court.- **2015**
3. "The diverse nature of India as a multi-religious and multi-ethnic society is not immune to the impact of radicalism which is seen in her neighbourhood'. Discuss along with strategies to be adopted to counter this environment.- **2014**
4. How does illegal trans-border migration pose a threat to India's security? Discuss the strategies to curb this, bringing out the factors which give impetus to such migration.- **2014**

VARIOUS SECURITY FORCES AND THEIR MANDATE

- ❑ Indian Armed Forces, which consist of Defence Forces, Paramilitary Forces and Strategic Force Command plays a major role in ensuring national security.
- ❑ **Law and order is a state subject** of the state, therefore the bulk of the policing lies with the respective states and territories of India. Larger cities also operate metropolitan police forces (MPF) under respective state governments. The majority of federal law enforcement agencies are controlled by the **Ministry of Home Affairs**.
- ❑ **Security forces** in India can be broadly classified into two:
 1. Indian Armed Forces
 2. Central Armed Police Force(CAPF)

Contributions of paramilitary forces:

- ❑ **Disaster:** During the 2013 Uttarakhand floods, Indo-Tibetan Border Police was the first to respond to the catastrophe. Kerala floods is also prominent example.
- ❑ **Organised crime:** The paramilitary forces like the BSF, Sashastra Seema Bal, ITBP deployed at borders check smuggling of drugs, fake currencies and human trafficking along with border security.
- ❑ **Law and order:** The CRPF personnel provides their services when law and order situation goes beyond the control during riots or large scale violence.
- ❑ **Naxalism:** The paramilitary forces are also deployed in fighting insurgencies and violent activities like Naxalism.

Security forces dealing with External Threats:

The Indian Armed Forces are **the primary force responsible for the security of the nation**, and they come under the **administrative control of Ministry of Defence**. CAPF mainly manage the internal security threats but they also aid in combating external threats. **CAPF comes under administrative control of Ministry of Home Affairs**.

Indian Armed Force:

The defence forces are classified into four sub-categories:

1. Indian Army Personnel
2. Indian Air Force
3. Indian Navy
4. Indian Coast Guard.

There are many divisions of CAPF:

1. Assam Rifles
2. Border Security Force (BSF)
3. Central Industrial Security Force
4. Central Reserve Police Force
5. Indo-Tibetan Border Police (ITBP)
6. National Security Guard
7. Sashastra Seema Dal (SSB)

1. Assam Rifles:

- **Conduct counter insurgency operations** in the north-east and other areas where deemed necessary, under control of the army.



- During peace and '**proxy war**', ensure security of the **Indo-China** and **Indo-Myanmar borders**. During war, rear area security in the TBA.
- Act as **penultimate interventionist force** of the central government in internal security situation, under the

control of army; when the situation goes beyond the control of central paramilitary operations.

- Headquarter: **Shillong**

History:

- The Assam Rifles came into being in **1835**, as a militia called the '**Cachar Levy**'. This Force was formed to **primarily protect British Tea estates and their settlements** against tribal raids.
- Subsequently, all these Forces were **reorganised and renamed as the 'Frontier Force'** as their role was increased to conduct of punitive expeditions across the borders of Assam.
- This Force significantly contributed in opening the region to administration and commerce and over time they came to be known as the "**right arm of the civil and left arm of the military**".
- The '**Darrang**' Battalion was raised just before the onset of World War-I.
- In **1917**, recognising their work during the Great War (WW-I), fighting shoulder to shoulder with Rifle Regiments of the regular British Army, the **name of the Force was changed to 'Assam Rifles'**.
- The Post-Independence role of the Assam Rifles continued to evolve ranging from conventional combat role during **Sino-India War 1962**, operating in foreign land as part of the **Indian Peace Keeping Force (IPKF) to Sri Lanka in 1987 (Op Pawan)** to **peacekeeping role in the North-Eastern areas of India** in the face of growing tribal unrest and insurgency wherein the maintenance of law and order, countering insurgency and reassuring the people of the region became important tasks for the Assam Rifles.
- Today the Force remains deployed in some of the most remote and under developed areas and provides security to locals. Assam Rifles has grown substantially over the years from **17 battalions in 1960 to 46 battalions at present**.

- The Force also has a **Training Centre** and a **number of Logistics Units**. Through its long deployment in the tribal belt, the Assam Rifles has **earned the complete confidence of the locals** and has helped considerably in bringing the people of this region into the national main stream.
- The **humane, just and ever helpful approach** of the men of Assam Rifles has truly managed to win hearts and minds earning the Assam Rifles the sobriquet of '**Friends of the North East**'.
- Fondly called 'Friends of the North East People', the Force is the highest awarded and decorated Para Military

Force of the Republic of India.

- It is **under the control of the MHA** and they perform many roles including the provision of internal security under the control of the army through the **conduct of counter insurgency and border security operations, provision of aid to the civilians** in times of emergency, and the provision of communications, medical assistance and education in remote areas.
- In times of war they **can also be used as a combat force to secure rear areas if needed**.
- Since 2002 it has been guarding the Indo-Myanmar barrier as per the government policy "**one border one force**".
- **Assam Rifles Act 2006 and rules 2010 gives it statutory status**, powers, functions, roles, operations etc.

2. Border Security Force:



- The BSF, in its **54th years of existence**, has emerged as an **elite force of the country** having excelled with distinction in the **1971 & Kargil war** with Pakistan. Mission of BSF is **“Any task, Anytime, Anywhere”**. The Officers and men have given blood and sweat to uphold its motto **“Jeevan Paryant Kartavya”**.

History:

- **Till 1965 India's borders with Pakistan were manned by the State Armed Police Battalion.** Pakistan attacked Sardar Post, Chhar Bet and Beria Bet on 9 April, **1965** in Kutch.
- This **exposed the inadequacy of the State Armed Police** to cope with armed aggression due to which the Government of India felt the need for a **specialized centrally controlled BSF**, which would be armed and trained to man the International Border with Pakistan.
- As a result of the **recommendations of the Committee of Secretaries**, the Border Security Force came into existence on **01 Dec 1965**, and **Shri K F Rustamji** was the first chief and founding father of BSF.

The tasks of the BSF are divided as follows:

1. Peace time:

- Promote a sense of security among the people living in the border areas.
- Prevent trans-border crimes, unauthorized entry into or exit from the territory of India.
- Prevent smuggling and any other illegal activity.

2. War Time:

- **Holding ground in less threatened sectors** so long as the main attack does not develop in a particular sector and it is felt that the local situation is within the capability of BSF to deal with.
- **Protection of vital installations** particular air-fields against enemy commandoes/para troopers or raids. The role can be entrusted to the BSF Units which are placed under the Army's operational Control.

- **Providing extension to the flanks of main defence line** by the holding of strong points in conjunction with other units.
- **Limited Aggressive action** against para military or irregular forces of the enemy within the overall plan of the Armed Forces.
- **Performing special tasks** connected with intelligence including raids. These are tasks which might be entrusted to BSF Units by the Army in a war situation according to local necessity.
- **Acting as guides** in an area of responsibility where routes are known.
- **Maintenance of law and order** in enemy territory administrated under the control of Army.
- Provision of **escorts**.
- Guarding of prisoners of war cages.
- **Assistance in control of refugees.** It is the intention to utilise civil police force and armed Home Guards etc. for these tasks but again depending upon local exigencies, the BSF might be entrusted with these tasks.
- **Anti-infiltration duties in specified area.** This is an important responsibility which will have to be performed by security forces. The exact responsibility of the BSF in this matter is still under consideration and separate instructions are expected to be issued.

3. CISF:



- CISF is an armed force of the Union ***established under an Act of Parliament***, “Central Industrial Security Force Act, 1968”.
- In the year **1969**, the strength of the force established with the help of 3129 personnel, was increased to **1,41,421** as of 01.03.2020.
- CISF has **12 reserve battalions**, 08 training institutes and 63 other formations.
- According to the mandate, ***CISF provides security to the premises staff along with the security of property and establishments.***
- CISF is providing ***security to the strategic establishment***, including the Department of Space, the Department of Atomic Energy, the Airports, the Delhi Metro, the ports, the historical monuments and the basic areas of Indian economy such as petroleum and natural gas, electricity, coal, steel and mining.
- CISF is providing ***protection to some private sector units*** and important government buildings in Delhi.
- Presently, CISF is also providing security to the protected persons classified as ***Z Plus, Z, X, Y.***
- CISF is the only force with a customized and dedicated fire wing.
- CISF is a ***compensatory cost force.***

The ***CISF came into existence in 1969, following a major fire incident in HEC, Ranchi.*** Over the last 50 years the force has seen many ups and downs, given the unique mandate with which the force came into existence i.e. to give protection and security to the employees and the property of the Public Sector Undertakings. In keeping with changing demands of the ***dynamic nature of security***, the force has evolved, re-oriented and updated the nature of professional services rendered and metamorphosized from being an industrial security force into a ***multi-talented, multi-tasking and multi-faceted force***, ready to face newer challenges in the future.

The Ethos, Values and Ethics policy of an CISF:

1. Shape its “***Character***”
2. Create a desired “***Identity***”
3. Lay out principles that guide organization’s policies and strategies
4. Help set clear “***organizational goals***”
5. Establish “***standards for organizational performance***”

Consultancy services offered by CISF:

- Threat Perception & Risk analysis
- Access Control & Perimeter protection
- Assessment of Manpower requirements
- Security systems applications
- Security & Fire Audit
- Document security
- Procedures for material Security.
- Internal intelligence.
- Fire protection measures
- Crisis management schemes
- Executive Protection.
- Crowd control and management procedures
- Training in security & fire protection matters to the officers and men of the organization & Security Wing

4. ITBP:



- Indo-Tibetan Border Police was ***raised on October 24, 1962 for reorganizing the frontier intelligence and security set up along the Indo-Tibetan border.***
- In **1992**, parliament enacted the ***ITBPF Act*** and the rules there under were framed in 1994.

- With additional tasks entrusted to ITBP from time to time on ***border guarding, counter insurgency and internal security roles***, the number of ITBP Battalions increased gradually and ITBP presently has 56 service Battalions, 4 Specialist Battalions, 17 Training Centres and 07 logistics establishments with a total strength of ***approx. 90,000 personnel***.
- In the year ***2004***, in pursuance of GoM recommendations on ***“One Border One Force”***, the entire stretch of ***India-China Border comprising 3488 Kms was assigned to the ITBP*** for Border Guarding duty and, accordingly, ITBP, replaced Assam Rifles in Sikkim and Arunachal Pradesh in 2004.
- The motto of the Force is ***“Shaurya-Dridhata-Karma Nishtha”*** (Valour– Determination– Devotion to Duty).

Tasks of ITBP:

- Vigil on the northern borders, detection and prevention of border violations, and promotion of the sense of security among the local populace.
- Check illegal immigration, trans-border smuggling and crimes.
- Security to sensitive installations, banks and protected persons.
- Restore and preserve order in any area in the event of disturbance.

Presently ITBP has been guarding India-China border in Jammu & Kashmir, Himachal Pradesh and Uttarakhand, Sikkim and Arunachal Pradesh states from the Karakoram Pass in Jammu & Kashmir to Jechap La in Arunachal Pradesh. The altitude of ITBP BOPs ranges from 9,000 ft to 18,750 ft where temperature dips to (-) 45 degree Celsius.

- ITBP Battalions are also ***providing security to various installations of national importance*** throughout the country, which includes Rashtrapati Bhawan, Vice President House, Rumtek

Monastery (Sikkim), Tihar Jail (N Delhi), LBSNAA (UKD) and various sensitive installations in Chandigarh (Punjab) & Jammu (J&K).

- At present, a well equipped and highly trained team of elite commandos are ***deployed in Afghanistan for providing security to the Indian Embassy in Kabul*** and 4 Consulates General.
- ITBP has also ***excelled in UN peacekeeping operations***. The Force personnel were deployed for peacekeeping operations in Angola, Namibia, Cambodia, Bosnia & Herzegovina, Mozambique and Kosovo.
- ITBP is also providing security, communication and medical cover to the pilgrims during the Annual Kailash Mansarovar Yatra since 1981.
- Being the ***first responder for natural Disaster in Himalayas***, ITBP was the first to establish ***7 Regional Response Centres*** and ***carried out numerous rescue and relief operations*** in all disaster situations, which took place in our areas of responsibility as well as other parts of the country. In a historic rescue and relief operation in 2013, the ITBP saved 33,009 pilgrims from grave situation from char dham yatra routes in Uttarakhand in the 15 day rescue effort by the Force.
- ITBP ***conducts a large number of medical civic action programmes in remote border and terrorist/naxal affected areas*** to provide free and expert medical, health and hygiene care to the civilian population in remote villages.
- ITBP is at the ***forefront of movement for the preservation of Himalayan environment & ecology***. ITBP has taken up in a big way the task of greening the Himalayan regions especially in Inner Himalayas.

5. National Security Guards:



NSG is **Federal Contingency World Class Zero Error Force** to deal with anti-terrorist activities in all its manifestation. The NSG is a Force **specially equipped and trained to deal with specific situations** and is therefore, to be **used only in exceptional circumstances** to thwart serious acts of terrorism.

Ethos:

- Pursuit for excellence
- Lead from the front.
- Zero Error.
- Speed, surprise, stealth, precision and accuracy are its hall marks.

History of NSG:

- The Union Cabinet in **1984** took a decision to create a **Federal Contingency Force** comprising of personnel who are **highly motivated, specially equipped and well trained** to tackle the various manifestations of terrorism.
- In June 1984, a nucleus consisting of the **Director General of NSG** and other essential elements were sanctioned and steps were initiated to raise the Force.
- A bill for creation of this Organization was introduced in the parliament in August 1986 and it received the assent of the President on **September 22, 1986** and the National Security Guard (NSG) formally came into being from that date.
- The **basic philosophy of NSG is swift and speedy strike and immediate withdrawal from the theatre of action**. National Security Guard has been given the **Specific Role** to handle all facets of terrorism in any part of the country as a Federal Contingency Force.

- The NSG was **modelled on the pattern of the SAS of the UK and GSG-9 of Germany**. It is a **task-oriented Force** and has two complementary elements in the form of the Special Action Group (SAG) comprising Army personnel and the Special Ranger Groups (SRG), comprising personnel drawn from the Central Armed Police Forces / State Police Forces.

6. Sashastra Seema Bal (SSB):

- In the wake of the **Chinese conflict in 1962**, it was felt that the borders of the country could not be protected with the force of rifles alone. It required the backing and resolute will of a committed border population.
- In addition, it needed an in-depth understanding and familiarity of the terrain as well as the culture and ethos of the border population.
- A need was, therefore, realized for the **creation of a unique, unconventional yet specialized organization**, which would function in the far, flung, vulnerable, strategic, remote, climatically and topographically difficult border areas and motivate the border population across several states towards the cause of protecting our national sovereignty.
- The **Special Service Bureau (now Sashastra Seema Bal)** was thus **conceived in November 1962** and eventually created in March 1963 with the sole objective of achieving '**Total security preparedness**' in the remote border areas for performing a '**stay-behind**' role in the event of a war.
- SSB was started in North Assam, North Bengal, hill districts of Uttar Pradesh (now Uttarakhand), Himachal Pradesh, part of Punjab and Ladakh area of J&K.
- Later, the jurisdiction of SSB was extended to Manipur, Tripura and Jammu (1965), Meghalaya (1975), Sikkim (1976), Rajasthan (1985), South Bengal, Nagaland and Mizoram (1989).

- Its **area of coverage included 15 states**. SSB in the erstwhile role was covering a population of more than 5.73 crores living in about 80,000 villages and about 9917 Kms of India's international borders.
- Since 1963, the main thrust of the SSB was on generating a sense of national belonging, security and vigilance.
- **Villagers were trained in the use of small arms** and the **art of self defence** to develop a spirit of resistance. In early 1970s we also started **National Integration Programmes** in a big way. All these bore fruit slowly but surely.
- However, the rifle training was a big draw and brought lakh of people into our fold. The trained volunteers became the eyes and ears of SSB, on the border and could be drawn on whenever required. As a result, the number of Chinese intelligencers prodding our border reduced considerably.

Role of Sashastra Seema Bal:

- After the Kargil war, the **K. Subramanayam Committee's Report** was considered by a Group of Ministers for relocation of all Para-military forces to achieve optimum efficiency by assigning one border for each force.
- SSB was **declared as a Border Guarding Force in 15th January, 2001** under the **Ministry of Home Affairs** and renamed as **"Sashastra Seema Bal"** on 15th December, 2003.
- In 2001 SSB was given the mandate to guard the **Indo-Nepal Border (1751 Kms.)** and was declared the **Lead Intelligence Agency for that area**.
- The added responsibility of **guarding Indo- Bhutan Border was given to SSB in 2004** along with being declared the **Lead Intelligence Agency for that border**.
- SSB's present charter of duties is to:

Safeguard the security of assigned borders of India and promote sense of security among the people living in border areas.

Prevent trans-border crimes, smuggling and any other illegal activities.
Prevent unauthorized entry into or exit from the territory of India.
Carry out civic action programme in the area of responsibility.
Perform any other duty assigned by the Central Government. (SSB is being deployed for Law & Order, Counter Insurgency Operations and Election duty)

- The **challenges of manning the open border are more daunting** than securing a closed border. The **2450 kms long Indo-Nepal and Indo- Bhutan border is more challenging** because the open border not only provides alluring encouragement to traffickers and smugglers but, also offers huge opportunities for militants/ ANEs trained on foreign soil to infiltrate and pose a serious threat to national security.
- It is **extremely difficult to seal the entire border effectively owing to its porosity and visa free regime on one hand and social economic and cultural relationship of bordering countries** on the other, but SSB, by virtue of its enormous past experience of working at grass root level in remote areas, is able to muster people's support and cooperation besides physically guarding the border and maintaining its sanctity.

Issues of Paramilitary Forces:

- There is **shortage of man power** which increases the workload on existing personnel. It is found that CISF jawans have to do **continuous duty for 15-18 hours**.
- There is an absence of a **dedicated grievance redressal system**. Ex: Recent BSF Jawan video.
- A paramilitary soldier was **against the sahayak/buddy system** where soldiers were forced to do **personal chores** for senior officers of the force.
- Poor working conditions like no **housing facilities, poor food** and low allowances adds to problems.
- Top most positions are occupied by **IPS officers** which leads to a low morale that translates into low efficiency.
- **Promotion system lacks a proper path** and set indicators to identify the deserving candidate.

- ❑ *They are devoid of justice.* Armed forces tribunal does not cover them. Even Article 33 deters them to approach civilian judiciary.
- ❑ *No stability in terms of duration of posting* and no peace posting. There are many accompanying services like,

VIP security, law and order and election duty.

- ❑ Till lately *gallantry awards such as Paramvir chakra*, Shaurya Chakra and Kirti Chakra were reserved only for the **armed forces**.
- ❑ Government does not accord them the **status of a martyr**.
- ❑ **Lack of capital budget** for new procurement schemes, especially 'big ticket' items, is another challenge.
- ❑ **Lack of modernisation, capital outlay being the lowest** in the last ten years. Most budgets get diverted to election winning formulations of the ruling elites and thus sheer neglect of the outdated and obsolete weapon systems.
- ❑ Pathetic understanding of matters military with political and bureaucratic decision makers, thus a general distrust of what they are asking the Army to do.
- ❑ The **politicisation of the Army** is taking its toll on a soldier's psyche as he is forced to take sides, instead of remaining apolitical and secular in his thinking and action.
- ❑ **Prolonged separation** from the families, in an increasingly unsafe and polarised countryside.

Measure taken by government:

- ❑ Improved dispute resolution, communication facility in field areas, yoga etc. have been introduced.
- ❑ Increased communication between jawans and officers were part of the 14 measures undertaken by government **to boost morale**.
- ❑ In **2015, Delhi HC** ordered government to give pay upgrade to **Group A** officers of paramilitary according to 6th Central Pay Commission.
- ❑ To improve **gender equality** in the paramilitary–

- The government permitted **reservation of 33% women** at the constable rank in CRPF and CISF.
- It also set a **15% share** in the border forces BSF, SSB and ITBP **for women**.

Recommendations:

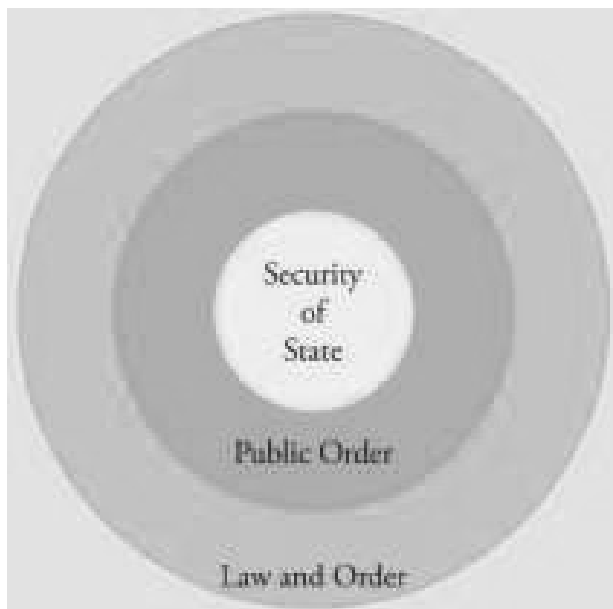
- ❑ The proposals of BGFs to raise **additional number of battalions** should be considered on a priority basis.
- ❑ **Composite BOPs** should be developed with telephone, medical facilities etc.
- ❑ Hard area **allowance** should be exclusively decided on the basis of **climatic and geographical conditions** of the area of deployment and should be uniform for personnel of all the forces, be it CAPFs or Army.
- ❑ To **curb depression among jawans**, yoga, meditation and recreation facilities are provided.

Way forward:

- ❑ Need of a **separate grievance redressal mechanism** and a **separate tribunal for paramilitary forces**.
- ❑ The government must increase allocation for defence (excluding pensions) to **2.5 percent of GDP** initially, and **further raise it gradually to 3 percent** until modernisation of the Armed Forces is complete.
- ❑ The government must stop protecting the defence public sector and create a genuine level playing field for entry of the private sector into indigenous defence manufacturing.
- ❑ For equivalence in allowance **"one area, one allowance"** should be implemented. It gives same allowance for both military and paramilitary deployed in same area.
 - Need greater hardship allowance.
 - The demand of the paramilitary forces should be considered for e.g.
 - A Military Service Pay
 - Timely career promotion
 - Better infrastructure
 - Martyr status when they die fighting

Organizational Structure:

- ❑ **Article 355** of the Constitution enjoins upon the **Union to protect every state against external aggression and internal disturbance** and thereby to ensure that the government of every state is carried on in accordance with the provisions of the Constitution.
- ❑ The **Police Act, 1861** is still the basic instrument governing the functioning of the Indian police. Under this Act, the Inspector General of Police (now designated as the Director General and Inspector General of Police) is the head of a state police. States are divided into districts and a Superintendent of Police heads the district police.
- ❑ A few states have also passed their own State Police Acts. Besides, other laws like the **Indian Penal Code (IPC) of 1862**, the **Indian Evidence Act (IEA) of 1872** and the **Code of Criminal Procedure (CrPC) of 1973** also govern the functioning of the police.



Functions of police:

Based on the Code of Criminal Procedure and the different Police Acts the functions of the police can be classified into the following categories:

- ❑ Prevention of crime including intelligence gathering
- ❑ Investigation of crimes
- ❑ Maintenance of public order
- ❑ Assistance in criminal trial
- ❑ Providing security to vital installations and important persons
- ❑ Service oriented functions:
 - Emergency duties during natural calamities
 - Providing assistance to other agencies
 - Assisting in conducting elections
 - Traffic control
 - Verification of antecedents
 - Helping the enforcement of laws.

Responsibilities of centre and states with regard to police:



Sources: Schedule 7 and Article 355, Constitution of India, 1950; PRS.

People's Perception of the Police:

Max Weber defined 'State' as an organisation that has a "**monopoly on the legitimate use of physical force**". Use of physical force becomes necessary when other peaceful mechanisms fail to produce results. The **police are the instrument of physical force of the State**. They have to bear the burden of failure of other instruments of governance as well. Thus, the **police always have to be at the forefront and face the wrath of the public** even for the failure of other instruments of governance.

The police have faced and continue to face many difficult problems. In a country of India's size and diversity, maintaining public order at all times is indeed a daunting task. It is to the credit of the police that despite many problems, they have by and large been successful in maintaining public order. Despite this, the police are generally **perceived to be tardy, inefficient, high-handed and often unresponsive or insensitive**.

The National Police Commission (NPC) observed:

- ❑ "...in the perception of the people, the egregious features of the police are politically oriented partisan performance of duties, partiality, corruption and inefficiency, degrees of which vary from place to place and person to person ... What the Police Commission said in 1903 appears more or less equally applicable to the conditions obtaining in the police today".
- ❑ The NPC examined the issue of police-public relations in great detail.
- ❑ It came to the conclusion that **police-public relations were in a very unsatisfactory state** and police partiality, corruption, brutality and failure to register offences were the most important factors contributing to this situation.
- ❑ People also felt that **police often harass even those who try to help them**; and while by and large people did not think that police are inefficient, they want a change in the style of their functioning.
- ❑ Policemen, in general, did not believe that they are at fault and blamed the system for deficiencies and deviations.

Problems in existing police functioning:

1. Problems related to general administration:

- **Poor enforcement** of laws and general failure of administration;
- **Large gap** between aspirations of the people and opportunities with resultant deprivation and alienation;
- **Lack of coordination** between various government agencies.

Difficulties Expressed by Police

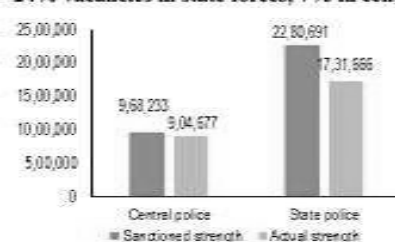
- a. Excessive workload due to inadequacy of man power and long working hours even on holidays and the absence of shift system;
- b. Non-cooperative attitude of the public at large;
- c. Inadequacy of logistical and forensic back up support;
- d. Inadequacy of trained investigating personnel;
- e. Inadequacy of the state-of-the art training facilities in investigation, particularly in-service training;
- f. Lack of coordination with other sub-system of the Criminal Justice System in crime prevention, control and search for truth;
- g. Distrust of the laws and courts;
- h. Lack of laws to deal effectively the emerging areas of crime such as organised crime, money laundering etc.
- i. Misuse of bail and anticipatory bail provision;
- j. Directing police for other tasks which are not a part of police function;
- k. Interrupting investigation work by being withdrawn for law and order duties in the midst of investigation.
- l. Political and executive interference;
- m. Existing preventive laws being totally ineffective in curbing criminal tendencies of hardened criminals and recidivists.

Source: Committee on Reforms of Criminal Justice System

2. Problems related to police:

- Problems of organisation, infrastructure and environment;
- Unwarranted political interference;
- Lack of empowerment of the cutting-edge functionaries;
- Lack of motivation at the lower levels due to poor career prospects, and hierarchical shackles;
- Lack of modern technology/methods of investigation;
- Obsolete intelligence gathering techniques and infrastructures;
- Divorce of authority from accountability.
- Problems of organisational behaviour;
- Inadequate training; and
- Entrenched attitudes of arrogance, insensitivity and patronage.

24% vacancies in state forces; 7% in central forces



Sources: Bureau of Police Research and Development; PRS.

3. **Problems of stress due to overburdening:**
 - Multiplication of functions, with crime prevention and investigation taking a back seat;
 - Shortage of personnel and long working hours; and
 - Too large a population to handle.
4. **Problems related to ethical functioning:**
 - Corruption, collusion and extortion at different levels;
 - Insensitivity to human rights; and
 - Absence of transparent recruitment and personnel policies.
5. **Problems related to prosecution:**
 - Best talent not attracted as public prosecutors;
 - Lack of coordination between the investigation and the prosecution agencies; and
 - Mistrust of police in admitting evidence.
6. **Problems related to the judicial process/criminal justice administration:**
 - Large pendency of cases;
 - Low conviction rates;
 - No emphasis on ascertaining truth; and
 - Absence of victims' perspective and rights.

An overburdened police force

State police forces had 24% vacancies (about 5.5 lakh vacancies) in January 2016. Hence, while the sanctioned police strength was 181 police per lakh persons in 2016, the actual strength was 137 police. Note that the United Nations recommended standard is 222 police per lakh persons.

Various committees established for police reforms:

- ❑ **Gore Committee on Police Training (1971-73):** Was set up to review the training of the police from the constabulary level to IPS officers
- ❑ **National Police commission in 1977:** Eight Reports covering different aspects of police administration
- ❑ **The Ribeiro Committee 1998 on police reforms:** It recommended the setting up of Police Performance and Accountability commissions at the state level and also the constitution of a District complaints Authority, replacement of the Police Act, 1861 with a new act.

- ❑ **Padmanabhaiah Committee (2000):** was constituted to study recruitment procedures for the police force, training, duties and responsibilities, police investigations and prosecution.
- ❑ **Soli Sorabjee Committee 2005**
- ❑ **Vohra Committee Report** highlighted the nexus between the criminals, politicians and government functionaries. It stated that the network of the mafia is virtually running a parallel government, pushing the state apparatus to irrelevance, and suggested that an institution be set up to effectively deal with the menace.

Core principles of police reforms:

- ❑ Responsibility of the Elected Government
- ❑ Authority, Autonomy and Accountability
- ❑ Disaggregation and Deconcentration of functions
- ❑ Independence of Crime Investigation
- ❑ Self-esteem of Policemen
- ❑ Criminal Law Reform
- ❑ Professionalisation, Expertise and Infrastructure
- ❑ Police to be a Service

Police Reforms:

1. Organisational Structure of the Police of the Future:

- **Investigation of crimes** would be entrusted **to a separate, fully autonomous, elite, professional, investigation agency** in each state. This agency and the prosecution wing, would be managed by an independent Board headed by a retired High Court Judge, and appointed by a high-powered collegium.
- **An independent prosecution wing**, staffed by serving trial judges on deputation, special prosecutors appointed from time to time, and public prosecutors appointed for a renewable five year term would function under the supervision of the same Board, and work in close coordination with the crime investigation agency.

Crime per lakh population has **increased by 28%** over the last decade (2005-2015). However, convictions have been low. In 2015, convictions were secured in **47%** of the cases registered under the Indian Penal Code, 1860. The Law Commission has observed that one of the reasons behind this is the **poor quality of investigations**.

- The **police station (a part of the law and order police), would be the first point of contact for citizens**. All crimes (entailing prescribed punishment of less than three years imprisonment) would be investigated by the law and order police, and more serious offences will be transferred to the **independent Crime Investigation Agency**. There would be **effective mechanisms for coordination** between local police, crime investigation agency, and riot control (law and order) police.
 - Local police (under local authorities), in addition to investigation of petty crimes, would attend to other local police functions including traffic management and minor local law and order maintenance. More police functions would be progressively brought under the supervision of local governments.
 - There would be a **strong forensic division, with well-equipped laboratories in each district**, to support the Crime Investigation Agency (and other police agencies). The Forensic division would be under the control of a Board of Investigation.
 - The rest of the police (excluding crime investigation and local police) would constitute the law and order agency. Metropolitan cities with over one million population can be entrusted with some of these duties immediately.
2. **Police Accountability Mechanism- Balancing Autonomy and Control:** State Government and the Police:
- The first and foremost issue required to be addressed in police reforms is the **relation between the State Government and the Police. Public Order and Police are state subjects**. The main instrument which lays down

the framework of the police system in India is the Police Act, 1861. The Act gives the power of control and superintendence of the police to the State Government.

- The **powers of the superintendence of the State Government over the police should be limited** for the purpose of ensuring that police performance is in strict accordance with law.
- **State Security Commission should be established** to lay down broad policy guidelines, evaluate performance of state police and function as a forum for appeal from police officers and also review the functioning of the police in the state.

Holding police accountable

In India, the political executive (i.e., ministers) has the power of superintendence and control over the police forces to ensure their accountability. However, the Second Administrative Reforms Commission has noted that this power has been misused, and ministers have used police forces for personal and political reasons. Hence, experts have recommended that the scope of the political executive's power must be limited under law.

- The following provision should be incorporated in the respective Police Acts:
 - It **shall be the responsibility of the State Government** to ensure efficient, effective, responsive and accountable functioning of police for the entire state. For this purpose, the **power of superintendence of the police service shall vest in and be exercised by the State Government** in accordance with the provisions of law.
 - The State Government shall exercise its superintendence over the police in such manner and to such an extent as **to promote the professional efficiency of the police and ensure that its performance is at all times** in accordance with the law. This shall be achieved through laying down policies and guidelines, setting standards for quality policing, facilitating their implementation and ensuring that the police performs its task in a professional manner with functional autonomy.

- No government functionary shall issue any instructions to any police functionary which are illegal or malafide.
 - **'Obstruction of justice' should also be defined** as an offence under the law.
3. **Separation of Investigation from other Functions:**
- Police officials entrusted with the investigation of grave offences should be **separate and distinct** from those entrusted with the enforcement of law and order and other miscellaneous duties. Separate investigating agency directly under the supervision of a designated Superintendent of Police.
4. **Accountability of Law and Order Machinery:**
- A State Police Performance and Accountability Commission should be constituted, with the following as Members:
 - Home Minister (Chairman)
 - Leader of Opposition in the State Assembly
 - Chief Secretary
 - Secretary in charge of the Home Department;
 - Director General of Police as its Member Secretary
 - Five non-partisan eminent citizens
 - It should perform the following functions:
 - frame broad policy guidelines for promoting efficient, effective, responsive and accountable policing, in accordance with law;
 - prepare panel for the post of Director General of Police against prescribed criteria;
 - identify performance indicators to evaluate the functioning of the police service;
 - review and evaluate organisational performance of the police service.
5. **Police Establishment Committee:**
- Establishment Committee shall recommend names of suitable officers to the State Government for posting to all the positions in the ranks of Assistant/Deputy Superintendents and above in the police organization of the state, excluding the Director General of Police.
 - The State Government shall ordinarily accept these recommendations, and if it disagrees with any recommendation, it shall record reasons for disagreement.
6. **Competent Prosecution and Guidance to Investigation:**
- The Law Commission in its 14th Report suggested that the prosecuting agency should be completely separated from the Police Department.
 - The Law Commission (164th Report) recommended the insertion of a new Section 25A of CrPC which stipulates that the State Government may establish a Directorate of Prosecution under the administrative control of the Home Department in the state.
7. **Reducing Burden on Police- Outsourcing Non-Core Functions:**
- The police perform a number of functions, which do not require the special capability and knowledge of police functions.
 - It has been suggested that these functions can therefore be **outsourced either to government departments or to private agencies** so that the police can concentrate on its core functions.
 - Some of the functions that can be outsourced are the **delivery of court summons, verification of antecedents and addresses, which are required in the context of passport applications, job verifications etc.**
 - Each State Government should immediately set up a **multi-disciplinary task force to draw up a list of non-core police functions** that could be outsourced to other agencies. Such functions should be outsourced in a phased manner.
 - **Necessary capacity building exercise** would have to be carried out for such agencies and functionaries in order to develop their skills in these areas.

8. Empowering the 'Cutting Edge' Functionaries:

- The existing system of the constabulary should be substituted with recruitment of graduates at the level of Assistant Sub-Inspector of Police (ASI).
- This changeover could be achieved over a period of time by stopping recruitment of constables and instead inducting an appropriate number of ASIs.
- Recruitment of constables would, however, continue in the Armed Police.
- The orderly system should be abolished with immediate effect.
- The procedure for recruitment of police functionaries should be totally transparent and objective.
- Affirmative action should be taken to motivate persons from different sections of society to join the police service. Recruitment campaigns should be organised to facilitate this process.

9. Welfare Measures for the Police:

- Long working hours, tough working conditions, mechanical nature of job, inadequate welfare measures and insufficient housing means that the police officials are constantly under pressure, sapping their morale and motivation.
- Radical improvements in the recruitment, training, emoluments, working and living conditions are essential to improve their morale, reduce their frustration and increase their professionalism.
- Time bound measures for improving satisfaction levels among police personnel by provision of adequate housing and other welfare measures are required to be taken up on an urgent basis.
- Provision of adequate leave, at least for one month each year, on the pattern of the armed forces would also help provide a safety valve for police personnel suffering from physical and psychological exhaustion due to trying working conditions.

10. Grievance Redressal:

- A District Police Complaints Authority should be constituted to enquire into allegations against the police within the district. The District Police Complaints Authority should have the powers to enquire into misconduct or abuse of power against police officers up to the rank of Deputy Superintendent of Police. It should exercise all the powers of a civil court.
- A State Police Complaints Authority should be constituted to look into cases of serious misconduct by the police. The State level Authority should also look into complaints against officers of the rank of Superintendent of Police and above.
- The State Police Complaints Authority should also monitor the functioning of the District Police Complaints Authority.

11. Improvement of Forensic Science Infrastructure- Professionalisation of Investigation:

- There is need to set up separate National and State Forensic Science Organisations as state-of-the-art scientific organizations.
- At the state level these organisations should function under the supervision of the Board of Investigation.
- There is need to expand the forensic facilities and upgrade them technologically.
- Every district or a group of districts having 30 to 40 lakhs population should have a forensic laboratory. This should be achieved over a period of five years.
- Government of India should earmark funds for this purpose for assisting the states under the police modernisation scheme.
- All the testing laboratories should be accredited to a National Accreditation Body for maintaining quality standards.
- The syllabus of MSc Forensic Science should be continuously upgraded in line with international trends. Necessary amendments should be effected in the

CrPC and other laws to raise the level and scope of forensic science evidence and recognize its strength for criminal justice delivery

12. Intelligence gathering:

- The intelligence gathering machinery in the field needs to be strengthened and at the same time, made more accountable.
- Human intelligence should be combined with information derived from diverse sources with the focus on increased use of technology.
- Adequate powers should be delegated to intelligence agencies to procure/use latest technology. Intelligence agencies should develop multi-disciplinary capability by utilising services of experts in various disciplines for intelligence gathering and processing.
- Sufficient powers should be delegated to them to obtain such expertise.
- Intelligence should be such that the administration is able to use it to act in time by resorting to conflict management or by taking preventive measures.

13. Training of the Police:

- Deputation to training institutions must be made more attractive in terms of facilities and allowances so that the best talent is drawn as instructors.
- The Chief of Training in the state should be appointed on the recommendation of the Police Performance and Accountability Commission.
- The instructors should be professional trainers and a balanced mix of policemen and persons from other walks of life should be adopted.
- Each state should earmark a fixed percentage of the police budget for training purposes.
- There should be common training programmes for police, public prosecutors and magistrates. There should also be common training programmes for police and executive magistrates.

- Training should focus on bringing in attitudinal change in police so that they become more responsive and sensitive to citizens' needs.

14. Gender Issues in Policing:

- The representation of women in police at all levels should be increased through affirmative action so that they constitute about 33% of the police.
- Police at all levels as well as other functionaries of the criminal justice system need to be sensitized on gender issues through well-structured training programmes.
- Citizens groups and NGOs should be encouraged to increase awareness about gender issues in society and help bring to light violence against women and also assist the police in the investigation of crimes against women.

15. Crimes against Vulnerable Sections

- The administration and police should be sensitized towards the special problems of the Scheduled Castes and Scheduled Tribes. Appropriate training programmes could help in the sensitizing process.
- The administration and police should play a more pro-active role in detection and investigation of crimes against the weaker sections.
- Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker sections should not be downplayed for fear of further disturbances or retribution and adequate preparation should be made to face any such eventuality.

Recent initiatives towards Police Reforms:

- **Modernization of Police Forces Scheme:** The scheme focuses on strengthening police infrastructure by construction of secure police stations, training centres, police housing (residential) and equipping police stations with required mobility, modern weaponry, communication equipment and forensic set-up etc.

- ❑ **Administrative changes:** On the administrative side, changes include **separation of investigation from law and order, specialized wings** for Social and Cyber Crimes are initiated in several states.
- ❑ **Technological reforms:** Various technological reforms are pushed including modernization of the control room, fast tracking **Crime and Criminal Tracking Network and System (CCTNS)** and pushing for incorporation of new technology into policing.
- ❑ **Moving towards Commissionerate System wherever appropriate:** Recently, Uttar Pradesh cabinet approved implementation of the commissioner system of policing for the two cities, **Lucknow and Noida**, that will give magisterial powers to their top police officers.

Dual system	Commissionerate system
Dual command structure over the district police means that control and direction over the police vests with the SP (head of district police) and the District Magistrate (executive).	Unified command structure with the Commissioner of Police (rank of the Deputy Inspector General or above) as the sole head of the force within the city.
Separation of powers of the DM (e.g., issues arrest warrants and licenses) and the police (e.g., investigate crimes and make arrests). Therefore, less concentration of power in the police, and accountability to DM at the district level.	Powers of policing and magistracy concentrated in Commissioner. Directly accountable to state government and state police chief. Lesser accountability to the local administration. <ul style="list-style-type: none"> • It gives an integrated command structure which helps in speedy decision. • It reduces workload of District Magistrate

- ❑ **National Intelligence Grid (NATGRID):** NATGRID, an attached office of Ministry of Home Affairs (MHA), is the integrated intelligence grid which connects databases of core security agencies. It was **proposed after the 2008 Mumbai terror attacks**.
 - NATGRID is very effective **in communication and gathering of information**, to keep **all data on previous intelligence alerts**, providing **real time actionable intelligence** and **respond to evolving threats like radicalization through Social Media**.

Implementing the Supreme Court's Directive:

The Supreme Court's directions in Prakash Singh case 2006 on police reforms must be implemented. The court laid out seven directives where considerable work in police reforms is still needed. In passing these directives the **Court put on record the deep rooted problems of politicization, lack of accountability mechanisms and systemic weaknesses** that have resulted in poor all round performance and fomented present public dissatisfaction with policing. The directives are:-

1. **Constitute a State Security Commission (SSC) to:**
 - Ensure that the state government does not exercise unwarranted influence or pressure on the police,
 - Lay down broad policy guideline and
 - Evaluate the performance of the state police.
2. Ensure that the **DGP is appointed through merit based transparent process** and secure a **minimum tenure of two years**.
3. Ensure that other police officers on operational duties (including **Superintendents of Police** in-charge of a district and **Station House Officers** in-charge of a police station) are **also provided a minimum tenure of two years**.
4. Separate the investigation and law & order functions of the police.
5. Set up a **Police Establishment Board (PEB)** to decide transfers, postings, promotions and other service related matters of police officers of and below the rank of Deputy Superintendent of Police and make recommendations on postings and transfers above the rank of Deputy Superintendent of Police.
6. Set up a **Police Complaints Authority (PCA)** at **state level** to inquire into public complaints against police officers of and above the rank of Deputy Superintendent of Police in cases of serious misconduct, including custodial death, grievous hurt, or rape in police custody and at district levels to inquire into public complaints against the police personnel below the rank of Deputy

Superintendent of Police in cases of serious misconduct.

7. Set up a **National Security Commission (NSC)** at the union level to prepare a panel for selection and placement of Chiefs of the Central Police Organisations (CPO) with a **minimum tenure of two years**.

Smart Policing:

- ❑ The concept of SMART Policing was **articulated by Prime Minister in the DGP / IGP Conference 2014 held at Guwahati**.
- ❑ Broadly, smart policing involves interventions incorporating application of **evidence-based** and **data-driven** policing practices, strategies and tactics in order to **prevent** and **control** crime.

Examples of community policing in India

Janamithri Suraksha in Kerala

This project is an initiative of the Kerala Police to facilitate greater accessibility, close interaction and better understanding between the police and local communities. For example, Beat Constables are required to know at least one family member of every family living in his beat area, and allocate some time to meet with people outside the police station every week. Janamithri Suraksha Committees are also formed with municipal councillors, representatives of residents' associations, local media, high schools and colleges, retired police officers, etc. to facilitate the process.

'Smart Policing'

1. Strict and sensitive,
2. Modern and mobile,
3. Alert and accountable,
4. Reliable and responsive,
5. Techno-savvy and trained

Benefits of SMART Policing:

- ❑ It **promotes pro-active policing** by preventing criminal activity through enhanced police visibility and public engagement.
- ❑ Smart policing encourages a system-wide and strategic view of police operations.
- ❑ It **encourages focus on outcomes** i.e. reduced crime & safer communities in cost effective ways.
- ❑ Smart policing paradigm **promotes integration & interoperability of information & communication systems**.
- ❑ These initiatives help to **protect civil rights and to make police force more citizen friendly**.

Conclusion:

The issues of Police are the manifestation of the limitations of the Indian political and social setup. Thus, there is a need to carry out Police reforms and incentivise police department to adopt best practices. Along with that, without further delay, there is a need to build an environment where police become an instrument of service to the people.

Prison Reforms

Criminal Justice System in India

Criminal Justice System refers to the agencies of government charged with enforcing law, adjudicating crime, and correcting criminal conduct.

Objective

- ❑ To prevent the occurrence of crime.
- ❑ To punish the transgressors and the criminals.
- ❑ To rehabilitate the transgressors and the criminals.
- ❑ To compensate the victims as far as possible.
- ❑ To maintain law and order in the society.
- ❑ To deter offenders from committing any criminal act in the future.

An undertrial is an **unconvicted prisoner who is on trial in a court of law**. The share of undertrials lodged in prisons for more than a year has **increased over time as the percentage of cases pending judgment** in courts has also increased sharply.

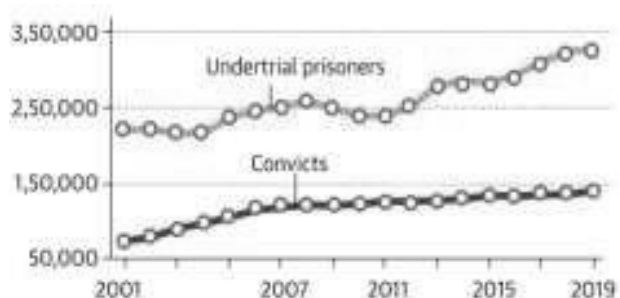
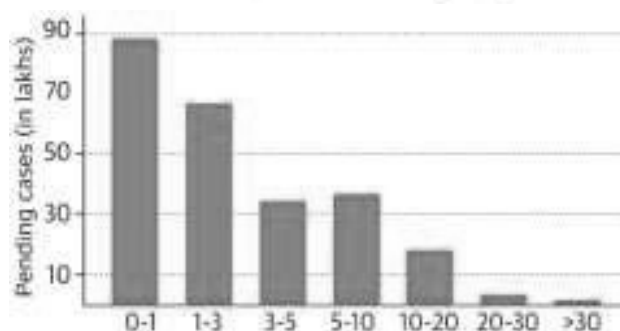
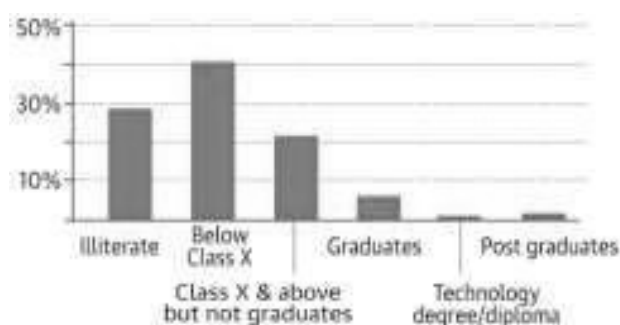
NCRB Data 2018:

- ❑ Number of jails in country: 1387
- ❑ Capacity: 3.5 lakh
- ❑ 4.8 lakh prisoners are housed.
- ❑ Few jails are **overcrowded above 100%** and few are above 500% of their capacity.

Under trials:

- ❑ Of the total prisoners, **70% are undertrials** and among these undertrials **43% are women**. In India, the number of undertrials are **highest in the world**.

- ❑ The situation of undertrials is very grim if we look at the SC/ST and Muslims data. Near about 55% undertrials are SC, ST and Muslims.
- ❑ At the end of 2019, more than one lakh people were lodged in Indian prisons as undertrials for more than a year.
- ❑ At the end of 2019, **more than 90% of undertrials were not graduates** and about 28% were illiterate.
- ❑ Number of unnatural deaths increased **from 115 to 231 during 2015-16**.
- ❑ These are often **people from disadvantaged backgrounds** involved in minor and technical violations of the law who are incarcerated due to their inability to pay for bail and/or for good legal representation. Thus, hardened convicts as well as petty offenders like ticketless travellers could end up being imprisoned together for long periods in crumbling buildings with inadequate accommodation and sanitary facilities.



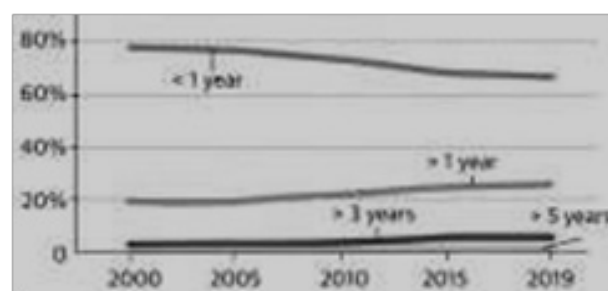
The situation in many prisons is appalling enough to be considered a violation of human dignity as well as the basic human rights of the inmates. Paradoxically, a few individuals, who are powerful, are allowed to enjoy extraordinary facilities not permitted under the rules.

As of Dec 2020, 1.6 crore criminal cases were pending judgment for more than a year across all district and taluka courts in India. Of them, nearly 22 lakh cases were pending for over 10 years.

Case Study: Machan Lalung who was released in 2005 at the age of 77 from a jail in Assam after 54 years in prison for an IPC offence, for which the maximum sentence is not more than 10 years, puts a human face to the statistics mentioned above.

A longer confinement

Due to the high pendency rates in the courts, the share of undertrials confined in prison for more than one year, more than three years and more than five years increased between 2000 and 2019. The share of those confined for less than a year fell in this period



What are the issues?

- ❑ **Prison is state subject:** Thus, laws and policies related to prisons vary from state to state. On the other hand, jail reforms are becoming a difficult task as central government finding it difficult to get all the states on board. Even the political will is lacking to initiate the reforms as it would not garner any political mileage for the political parties.
- ❑ **Ineffectiveness:** The purpose of the criminal justice system was to protect the rights of the innocents and punish the guilty, but now a days system has become a tool of harassment of common people.
- ❑ **Pendency of Cases:** According to Economic Survey 2018-19, there are about **3.5 crore** cases pending in the judicial system, especially in district and subordinate courts, which leads to actualisation of the maxim **"Justice delayed is justice denied."**

- ❑ **No voting rights:** Strangely enough, there is no bar on contesting elections while someone is in jail, whereas inmates are not allowed to vote in elections. Even the undertrials who have served more sentence than the prescribed sentence of the offence committed are not allowed to vote in the elections.
- ❑ **Human rights violation:** At first, we are violating basic human rights of undertrials by not releasing them on time. Second, the number of unnatural deaths in jails increased from 115 in 2015 to 231 in 2016. The prisoners are made to live in inhuman conditions, even food served is not hygienic. Lack of ventilation, light, toilets makes the situation even worst.
- ❑ **Prisons Act 1893:** The act which governs the prisons is the legacy of British rule. Even after 73 years of independence we are using the colonial law.
- ❑ **Issue of children:** Nearly 18000 children are living in jails only because their parents are in jails. There are no special provisions for these children whether it is education, food or play grounds. There is less focus on enculturation of such students.
- ❑ **International political consequences:** Many countries refuse to extradite criminals to India on the issue of poor prison conditions. Even in Vijay Mallya's extradition, same excuses were put forward by accused.
- ❑ **Investigation:** Police is being a front line of the criminal **judiciary system**, which played a vital role in the administration of justice. Corruption, huge workload and accountability of police is a major hurdle in speedy and transparent delivery of justice.

Multidimensionality of reforms:

- ❑ We cannot reform prisons in isolation. **Judicial and police reforms should also go hand in hand.**
- ❑ **Poor criminal justice system, poverty, illiteracy** are some of the reasons for poor prisons conditions. Because poor, illiterate people are rarely aware of their rights.
- ❑ Even **prison conditions are worse than poor people's houses or lifestyle.** So behaviorally

they don't feel much difference. Even the poverty is the main reason for large number of undertrials because accused people do not have money to hire the lawyer or to pay the bail money.

Reforms needed:

1. Improve criminal justice system:

- **Mali math Committee** recommended to improve the criminal justice system to improve the conviction rate and to reduce the undertrials.
- Separate law & order functions from investigation as recommended by 2nd ARC.

2. All India Cadre for jails:

- Justice Mulla Committee recommended to create All India Service to bring uniformity in jail operations, to enforce accountability.

3. Undertrials:

- Justice Mulla Committee recommended to increase the Public Counselors and using these counselors especially for resolving cases of undertrials.

4. Sensitization:

- Government need to reorient, recategorize the jail staff. The jail staff needs to be sensitized for empathy, compassion. This is necessary to reduce human right violation.

5. Infrastructure:

- Improve living conditions, cleanliness, and hygiene.
- Install CCTV cameras to keep watch on illegal activities, harassment by jail staff.
- Increase budgetary support for infrastructure.
- Improve security of prisons.

6. Social and psychological improvements:

- Engaging prisoners in social and economic activities like agriculture, running radio channels, giving work for prisoners.
- Educational facilities for inmates' children

7. Strengthening NHRC and SHRC for surveying jails, forming policies for jails etc.

8. *Open jails:*

- Open jails can be implemented for petty crimes. Under this system, prisoners are allowed to conduct their day- to-day activities like a normal person and these prisoners come back to the jail during the nights.
- Uttar Pradesh is implementing Open jails.
- Rajasthan has 31 open air camps.
- Rajasthan has even started open jail exclusively for women.

Recommendations of various committees on reforming Criminal Justice System:

1. *Malimath Committee:*

- Malimath Committee (2000) on reforms in the Criminal Justice System of India (CJS) submitted its report in 2003. It suggested 158 changes in the CJSI but the recommendations weren't implemented.
- The Committee had opined that the existing system "weighed in favour of the accused and did not adequately focus on justice to the victims of crime."
- **Recommendations:**
 - **Rights of the Accused:** The Committee suggested that a Schedule to the Code be brought out in all regional languages so that the accused knows his/her rights, as well as how to enforce them and whom to approach when there is a denial of those rights.
 - **Police Investigation:** The Committee suggested hiving off the investigation wing from Law and Order.
 - **Court and Judges:** The report pointed out the **judge-population ratio in India is 10.5 per million population as against 50 judges per million population** in many

parts of the world. The ratio is **19.66 per million people as of 2017**. It suggested the increase in strength of judges and courts.

- **Witness Protection:** It suggested separate witness protection law so that safety and security of witness can be ensured and they can be treated with dignity.
- **Vacations of Court:** It recommended reducing the vacations of court on account of long pendency of cases.

2. *Madhav Menon Committee:*

- Menon Committee on criminal justice reforms **submitted its report 2007**. The four member panel was set up to draft a ***national policy paper on criminal justice system***.
- It ***favours the complete revamp*** of the entire criminal procedure system.
- It has ***mooted creation of a fund to compensate victims*** who turns hostile from the pressure of culprits.
- It ***suggested setting up of separate authority at national level*** to deal with crimes threatening the country security.

What Courts have observed in various judgements:

- ❑ "A person does not become a non-person after going to jail".-Supreme Court.
- ❑ "Each district should have one open jail".-Rajasthan High Court.

Conclusion:

- ❑ Criminal justice is in a ***state of policy ambiguity***. India needs to draft a clear policy that should inform the changes to be envisaged in the IPC or CrPC. All reforms will be in vain unless simultaneous improvements are made in the ***police, prosecution, judiciary and in prisons***. Our policy makers need to focus on ***reformative justice*** in order to bring all around peace in the society.

- ❑ Black money includes all funds earned through illegal activity and otherwise legal income that is not recorded **for tax purposes**. Black money proceeds are usually received in cash from underground economic activity and, as such, are not taxed.
- ❑ There is **no one definition for black money in economics**. In layman's language, it is money that has been acquired through illegitimate means or money which is unaccounted for, that is, for which tax is not paid to the government.
- ❑ There have been several approximations regarding the extent of black money economy also called as **Parallel economy/ Gray Economy/ Shadow/ Underground Economy**.
- ❑ Some of the approximations suggest it to be as high as up **to fifty to hundred percent**.
- ❑ While black money in India is decades old problem, it has **become real threat post liberalization**.
- ❑ Indian estimate of **black money in Swiss Bank is pegged at \$1.4 trillion** while Swiss estimate of money in their bank is **pegged at \$2 billion**.
- ❑ **Unlawful activities** such as crime and corruption, non-compliance with taxation requirements, complex procedural regulations, cultural and social practices, globalization along with weak institutional, policy, legal and implementation structures have further augmented the black money economy.

Parallel Economy:

- ❑ Parallel economy is the **functioning of an illegal sector in the economy whose purposes run in opposite to the objectives of official, sanctioned or legitimate sector**. The parallel economy has various aspects like political, commercial, legal, industrial, social and ethical aspects.

- ❑ **Incidence of black money gives rise to parallel economy**. The term parallel economy is also denoted as black economy, unaccounted economy, illegal economy, subterranean economy or unsanctioned economy.
- ❑ A striking point about parallel economy is that **it helps the type of economic activities where undisclosed income remains hidden to the tax authorities**. Usually, perceptible consumption, real estate, investment in foreign assets, criminal activities, corruptions etc are the typical spending pattern in the parallel economy. Transactions are performed in an **opaque manner**.

Generation of black money:

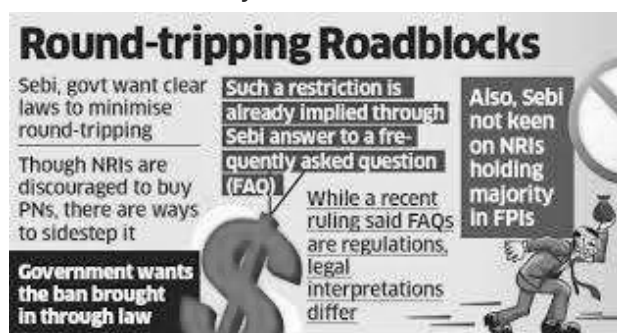
Illegitimate activities	<p>The illegal activities that can lead to black money generation are:</p> <ol style="list-style-type: none"> 1. Crime 2. Corruption 3. Non-compliance with tax requirements 4. Complex procedural regulations 5. Money laundering 6. Smuggling
Tax evasion	This is where an entity wilfully does not pay taxes that are due to the government.
Tax avoidance	This is where an entity takes advantage of the existing loopholes in the system and avoids paying taxes. This is not illegal though.

Sources of Black Money:

As discussed above the sources of black money are broadly of two categories- **illegitimate activity and tax evasion even if the activity is legitimate**.

- ❑ **Real estate:** The prices of real estate are increasing over the years. High stamp duty on real estate compels the builders to undervalue the transaction cost. The builders take money in cash and generate high value black money.
- ❑ **Gold smuggling:** As government impose high custom duties on gold and high prices of gold offers way to invest black money into gold.

- ❑ **SHGs:** Some Self-Help Groups (SHGs) and trusts do not provide proper sources for their funds and donations received.
- ❑ **Corruption:** Corruption in government and administration creates parallel economy in the government itself. Growing consumerism, quest for material status leading to more corruption and black money generation.
- ❑ **Shell Companies:** The government appointed task force has identified 2.25 lakh shell companies in India. These shell companies are mainly used to divert black money.
- ❑ **NGOs and trusts:** NGOs receiving funds from foreign sources but they rarely file their annual statement with government. The loopholes in the laws are exploited by the NGOs and their fund raisers for mobilisation of black money.



- ❑ **Informal Sector and Cash Economy:** Cash transactions, large un-banked and under-banked areas contribute to the large cash economy in India.
- ❑ **Tax Havens:** Tax havens are typically small countries/ jurisdictions, with low or nil taxation for foreigners who decide to come and settle there. Strong confidentiality or secrecy regarding wealth and accounts and allow opaque existence.
- ❑ **Hawala:** It is an informal and cheap method of transferring money from one place without using banks etc. It operates on codes and contacts and no paperwork and disclosure is required.
- ❑ **P-notes:** P-notes do not require KYC fulfilment for the investment. The anonymity in P-notes is fully exploited to invest black money in formal economy.

State of Black Money

- **Black money Law:** tax rate– At the minimum tax rate of 60%, the law has less incentive for the hoarders to come clean.
- **Stats–** As of May 2019, the total untaxed foreign assets mined was ₹12,500 crore.
- **Recovery–** Even this recovery was aided greatly by international exposes such as the Panama Papers.
- **Indonesia–** Indonesia recovered about ₹25 lakh crore under similar schemes.
- **Tough laws–** government passed an even more confiscatory law, the Fugitive Economic Offenders Act.

Impact of black money on Economy:

- ❑ Due to parallel economy, **neither government nor industries get actual picture of investment sentiments.** This creates market distortions.
- ❑ Black money means **loss of tax revenue to the government.** This reduces government's capacity to spend more on social infrastructure.
- ❑ **Corruption** in government projects and procurements creates **low quality infrastructure.**
- ❑ As the RBI and government have no control over black money. This makes **difficult for RBI to effectively target inflation** and government also face problem while deciding fiscal policy.
- ❑ Black money is further **driving up the prices of real estate.**
- ❑ Black money generated from drugs and smuggling is being used to **operate terror networks.** This **threatens national security.**
- ❑ Black money further **increases the inequality and poverty.**
- ❑ There is a **distortion in investment in economy.** With black money the investment is made in high end and luxury goods.
- ❑ **Forward trading of goods** by cash rich speculators cause fluctuation in prices due to hoarding.
- ❑ Black money leads to further **corruption by creating a vicious cycle.**
- ❑ Generating black money means that **quality is compromised in public sector projects** where black money is used to **manipulate tenders and offer kickbacks.**

Measure taken to curb black money generation and flow:

□ Tax Reforms:

- Rationalization of income tax with greater tax base and lower taxes.
- Tax deduction at source in which the tax is deducted from the payment itself by the payee.

□ Institutional measures:

- CBDT
- Enforcement Directorate
- Financial Intelligence Unit
- Central Board of Excise and Customs
- Central Economic Intelligence Bureau
- Directorate of Revenue Intelligence (DRI)
- NIA
- CBI
- Police authorities

- **Voluntary Disclosure Schemes:** The government allows reporting black money generated through tax evasion in a given time frame, as government has given in the Black Money Bill passed this year. During 2006-2012 government has reported nearly 26000 crore black money.

- **Demonetisation:** In 1978 and 2016 government demonetised high value notes to tackle black money.

- **Encouraging Cashless transactions:** Recently government has taken many initiatives like UPI, RuPay cards, Jan Dhan Accounts to promote digital payments. Government is also incentivising digital payments.

□ Legislative Framework:

- Prevention of Money Laundering Act, 2002
- Benami Transactions Prohibition Act, 1988
- Prevention of Corruption Act, 1988
- The Undisclosed Foreign Income and Assets (Imposition of Tax) Bill, 2015

- Public Procurement Bill
- Lokpal and Lokayukta Act

□ International Cooperation:

- Multilateral Convention on Mutual Administrative Assistance in Tax Matters
- Financial Action Task Force
- United Nations Convention against Corruption
- At the G20's London Summit of 2009 India played a major role in developing international consensus for taking actions against tax havens
- FATF
- United Nations Convention against Transnational Organised Crime.
- Egmont Group
- Transfer Pricing Agreement of G20.

Recent initiatives taken to tackle the menace of Unaccounted/Black Income:

□ Legislative mechanisms:

- Enactment of Central & various state **Goods & Service Taxes Act**
- Enactment of the Black Money (Undisclosed Foreign Income and assets) and Imposition of Tax Act, 2015
- Comprehensive **amendment of the Prohibition of Benami Property Transactions Act, 1988**
- Fugitive Economic Offenders Act, 2018
- Section 10(38) of the **Income Tax Act has been amended** to prevent the misuse of exemption by certain persons for declaring their unaccounted income as exempt long-term capital gains by entering into sham transactions
- In order to check creation of shell companies which are incorporated outside but controlled from India, the concept of '**Place of Effective Management**' (**POEM**) for determination of residence of a company incorporated in a foreign jurisdiction, has been introduced in the Finance Act, 2016

- ❑ **Administrative mechanisms and Systems improvement:**
 - **Expanding the ambit of TDS** (tax deducted at source) provisions to track more transaction.
- ❑ **International Cooperative mechanisms:**
 - With a view to facilitate and enhance exchange of information under the Tax Treaties, India is proactively engaging with the foreign Governments and has signed Tax Treaty framework with 146 foreign jurisdictions.
 - E.g. Foreign Account Tax Compliance Act with the US.
 - The Government of India has also joined the **Multilateral Competent Authority Agreement (MCAA)** for Automatic Exchange of Information as per Common Reporting Standards (CRS).
 - India has amended its **Double Taxation Avoidance Agreements with Mauritius**, Singapore and Cyprus to enable measures concerning prevention of tax evasion and tax avoidance.
 - **General Anti Avoidance Rules (GAAR)** have been implemented with a view to tackling aggressive tax planning with the use of complicated structures
- ❑ **Judicial Efforts:**
 - On the directions of the **Supreme Court**, the government in 2014 constituted the **Special Investigation Team (SIT) on black money**. The SIT has so far submitted seven reports to Hon'ble Supreme Court.

Need for the Estimation of Unaccounted/ Black Income:

- ❑ The unaccounted economy **reduces the size of potential state revenue**.
- ❑ To formulate effective monetary, labour and fiscal policy, it is **crucial to know the level of precision in the estimates of key statistics of the economy**, such as, output, price-level and unemployment. Thus, it is crucial to supplement official national accounts statistics with estimates of unaccounted economic activity.

The Standing Committee on Finance has submitted a report titled, 'Status of Unaccounted Income/Wealth Both Inside and Outside the Country- A Critical Analysis

- Although there is no uniform definition of unaccounted income or black money, but on a general basis it can be said it is the income from those economic activities that circumvent or otherwise avoid government regulation and taxation.
- It includes all illegal economic activities as well as the income from legal economic activities where the tax is evaded.
- According to the Standing Committee's report, the sectors that see the highest incidence of black money include real estate, mining, pharmaceuticals, pan masala, the gutkha and tobacco industry, bullion and commodity markets, the film industry, and educational institutes and professionals.

- ❑ Some unaccounted economy activities, i.e., illicit trade in narcotics and arms trading, are hurtful not only for economy, but also hazardous for society.
- ❑ It can further lead to a **vicious circle of an increase in the budget deficits or tax rates**.

Recommendations of the Committee Headed by Chairman, CBDT on Black Money:

- ❑ **India must ensure transparent, time-bound & better regulated approvals / permits, single window delivery of services** to the extent possible and speedier judicial processes. The **Electronic Delivery of Services Bill, 2011** that seeks to provide for electronic delivery of public services by the government to all persons to ensure **transparency, efficiency, accountability, accessibility** and **reliability** in delivery of such services has been tabled before the Parliament in December, 2011.
- ❑ The fight against the monstrosity of black money has to be at **ethical**, socio-economic and administrative levels. At the ethical level, we have to **reinforce value / moral education in the school curriculum** and **build good character citizens**, particularly highlighting the ills of tax evasion and black money. At the socio-economic level, the **thrust of public policy should be to discourage conspicuous & wasteful consumption / expenditure, encourage savings, frugality and simplicity**, and

reduce the gap between the rich and the poor.

- ❑ In order to ensure ***transparent and efficient allocation of natural and man-made resources***, oversight in the form of comprehensive regulations, and ombudsman for grievance redressal, particularly for scarce resources- as in land, minerals, forests, telecom, etc.- needs to be introduced and implemented expeditiously.
- ❑ Social sector schemes involving huge public expenditure under various programmes reportedly suffer from possible manipulations and leakages. ***Direct transfers to the accounts of beneficiaries*** can provide a solution, as it would prevent manipulations like bogus muster rolls, etc.
- ❑ There should be a ***dedicated training center for all law enforcement agencies dealing with financial crimes and offences***, as this requires special skills.
- ❑ To reduce the element of black money in transactions relating to immovable properties, ***provision for NOC should be introduced in the Income Tax law with safeguards*** to reduce administrative complications and increased ease of compliance, so that an appropriate and uniform data-base is also set up, and a proper national-level regulation is put in place.
- ❑ The RBI could consider ***stricter implementation of KYC norms and limit number of accounts*** that can be introduced by a single person, the number of accounts that can be maintained in the same branch by any entity and alerts about same address being used for opening accounts in different names.
- ❑ Government must ***consider ways to mitigate the manpower shortage issues*** which are seriously hampering the functioning of various agencies particularly the CBDT and CBEC.
- ❑ Effective battle against black money cannot be ensured unless the ***judicial machinery to deal with it is specialized and the trial of offences is expeditious and punishments exemplary***. The legal support to various law

enforcement agencies should be enhanced. All financial offences should be tried through fast track special courts.

What is Demonetization?

- ❑ It is a financial step where in a ***currency unit's status as a legal tender is declared invalid***.
- ❑ This is usually done when ***old currencies are to be replaced with the new ones***.

Demonetisation followed a series of earlier efforts to curb illicit activities:

- ❑ Creation of the Special Investigative Team (SIT) in the 2014 budget;
- ❑ The Black Money and Imposition of Tax Act 2015;
- ❑ Benami Transactions Act 2016;
- ❑ Information exchange agreement with Switzerland;
- ❑ Changes in the tax treaties with Mauritius, Cyprus and Singapore; and
- ❑ The Income Disclosure Scheme.

The aim of the action was fourfold:

- ❑ To curb corruption;
- ❑ Counterfeiting;
- ❑ The use of high denomination notes for terrorist activities; and
- ❑ Accumulation of "black money", generated by income that has not been declared to the tax authorities.

Implications of Demonetization:

- ❑ ***Parallel black economy would collapse.*** a. Of the Rs 17 lakh crore of total currency in circulation in the country, black money is estimated at mindboggling Rs 3 lakh crore.
- ❑ ***Counterfeit currency:*** Death blow to the counterfeit Indian currency syndicate operating both inside and outside the country
- ❑ On security:
 - ***Terror financing:*** Terror financing is sourced through counterfeit currency and hawala transactions.
 - ***Kashmir unrest:*** The four-month-long unrest in Kashmir valley is on a backburner

- ❑ ***North-East insurgency and Maoists:*** Black money is the oxygen for Maoists collected through donations, levy and extortions. The illicit money is used to purchase arms and ammunition.

Way Forward: Black Money

The black money menace is still untamed and lot more needs to be done to tackle it. Some of the strengthening steps that can be taken are:

- ❑ ***Appropriate legislative framework related to:*** Public Procurement, Prevention of Bribery of foreign officials, citizens grievance redressal, whistle blower protection, UID Adhar.
- ❑ ***Setting up and strengthening institutions dealing with illicit money:*** Directorate of Criminal Investigation Cell for Exchange of Information, Income Tax Overseas Units-ITOUs at Mauritius and Singapore have been very useful, Strengthening the Foreign TAX,

Tax Research and Investigation Division of the CBDT.

- ❑ ***Developing systems for implementation:*** Integrated Taxpayer Data Management System (ITDMS) and 360- degree profiling, Setting up of Cyber Forensic Labs and Work Stations, implementation of Goods and Services Tax and Direct Tax Code.
- ❑ ***Imparting skills to personnel for effective action:*** Both domestic and international training pertaining to the concerned area. For instance, the Financial Intelligence Unit-India makes proactive efforts to regularly upgrade the skills of its employees by providing them opportunities for training on anti-money laundering, terrorist financing, and related economic issues.
- ❑ ***Electoral Reforms:*** Elections are one of the biggest channel to utilize the black money. Appropriate reforms to reduce money power in elections.