

## Table of Contents

Chapter 1: What is Internal Security? .....	6
Chapter 2: J & K situation.....	6
Chapter 3: North eastern issues .....	6
Chapter 4: Social Media.....	6
Chapter 5: Statutes related to Internal Security .....	7
Chapter 6: The Rashtriya Raksha University Act, 2020 .....	7
Chapter I Preliminary.....	7
Ministry Of Law And Justice .....	7
Chapter 7: Criminal Law Amendment Act .....	8
Chapter 8: The Punjab Special Powers (Press) Act. ....	9
Chapter 9: The Arms (Amendment) Act, 2019 .....	9
Chapter 10: More About it .....	10
Chapter 11: Constitution of a National Human Rights Commission.....	12
Chapter 12: The Add on Act: .....	15
Chapter 13: The Add on Act .....	16
Chapter 14: The Banning of Simmi Act .....	20
Chapter 15: The National Human Rights Commission (NHRC) .....	22
Chapter 16: The Border Security Force (BSF).....	23
Chapter 17: History of BSF.....	24
Chapter 18: The Indo-Pakistani War of 1971 .....	24
Chapter 19: The Kargil War.....	25
Chapter 20: The Partition of Bengal .....	26
Chapter 21: The India Pakistan War and Internal Security.....	28
Chapter 22: The Insurgency in Punjab.....	28
Chapter 23: Constitution Of The Force And Conditions Of Service Of The Members Of The Force .....	30
Chapter 24: BSF ACT 9 CHAPTER-III OFFENCES .....	31
Chapter 25: NDRF.....	32
Chapter 26: ITBP.....	32
Chapter 27: Command Control superstructure.....	34
Chapter 28: More About ITBP .....	34

Chapter 29: And, ITBP .....	35
Chapter 30: Structure of ITBP .....	35
Chapter 31: Structure 2 .....	35
Chapter 32: Structure 3 .....	35
Chapter 33 .....	36
Chapter 34: More About ITBP .....	37
Chapter 35: Trg at ITBP .....	37
Chapter 36: Further Trg at ITBP .....	38
Chapter 37 .....	38
Chapter 38: Why India Needs a singular Border Security Entity? .....	38
Chapter 39: Border Security Management .....	39
Chapter 40: Other Border Security Agencies .....	39
Chapter 41: International and Regional scenario of Border Security .....	39
Chapter 42: The Indian Scenario of Border Security .....	40
Chapter 43: More About Border Security .....	40
Chapter 44: Trg in Border Security .....	40
Chapter 45: Management of the Borders .....	40
Chapter 46: The Conditionality of Jammu and Kashmir .....	41
Chapter 47: The American and Indian Counter Insurgency Approaches .....	42
Chapter 48: Challenges to Internal Security .....	42
Chapter 49: Law and Internal Security .....	42
Chapter 50: Is it Communalism? .....	43
Chapter 51: Communities in Internal Security .....	43
Chapter 52: The Scenario in Ladakh .....	44
Chapter 53: The Non-Hard Power Concerns .....	44
Chapter 54: Maoism in India .....	45
Chapter 55 .....	45
Chapter 56: Maoism: The Global Ideological Challenge .....	45
Chapter 57: Khmer Rouge and Maoism .....	49
Chapter 58: Maoism Abroad .....	49
Chapter 59: India's Maoism as an Internal Security Challenge .....	50
Chapter 60: Chinese Playground: Maoism .....	51

Chapter 61: Combating Naxalite Insurgency in India .....	52
Road Requirement Plan for Left Wing Extremism (LWE) Affected Areas:.....	52
Present Issue: .....	52
Proposed Solution: .....	52
Left Wing Extremism (LWE):.....	52
Other Government Initiatives to fight LWE:.....	52
SAMADHAN:.....	52
Way Forward.....	53
Chapter 62: Countering Maoism in India.....	53
Chapter 63: The Government Counter to Naxalism in India .....	54
LEFT WING EXTREMISM DIVISION .....	54
About The Division .....	54
Chapter 64: the MHA efforts against Maoism and Red Terror .....	55
Role And Functions Of The Division .....	55
Organisational Chart .....	55
Background .....	56
Chapter 65: The Dynamics Of Maoist Insurgency .....	56
Chapter 66: The Government Of India's Approach .....	57
Chapter 67: Monitoring Mechanisms .....	58
Recent Reviews .....	58
Chapter 68: Important Initiatives For LWE Affected States .....	58
Security Related Expenditure (SRE) Scheme .....	58
Special Central Assistance (SCA) for most LWE affected districts .....	59
Special Infrastructure Scheme (SIS) .....	59
Scheme of Fortified Police stations .....	59
Assistance to Central Agencies for LWE management Scheme .....	59
Civic Action Programme (CAP).....	59
Media Plan .....	59
Road Requirement Plan-I (RRP-I) for LWE affected areas .....	59
Road Connectivity Project for LWE affected areas (RCPLWE):.....	60
LWE Mobile Tower Project .....	60
Aspirational District.....	60
Chapter 69: Conclusion.....	60
Chapter 70: Naxalism/ Maoism and Strategies .....	60
Important Facts.....	61

Chapter 71: The Government Of India's Approach .....	61
Measures Taken So Far.....	62
Hard Approach .....	62
Chapter 72: Governance .....	62
Chapter 73: Policing Solutions to Naxalism: Security.....	63
Chapter 74: Case Studies and Way Ahead.....	63
Chapter 75: Who are the Naxalites? .....	64
Government's Policy .....	64
Chapter 76: Government Measures Against Naxalism.....	65
Chapter 77: Developmental Approach towards Naxalism.....	66
Chapter 78: Chattisgarh Challenged by Maoism.....	66
Chattisgarh .....	66
Chapter 79: Odisha Compromised by Maoism .....	67
Chapter 80: West Bengal and Maoist Red Challenge.....	67
Chapter 81: Jharkhand .....	68
Chapter 82: Bihar and Maoism .....	68
Chapter 83: The denouement of the Counter-Insurgency Strategy .....	68
Chapter 84: What is Terrorism? .....	69
2019 Terrorist Incidents: .....	69
Chapter 85: Terrorism Redux.....	70
Countering the Financing of Terrorism.....	71
Countering Violent Extremism.....	71
International and Regional Cooperation .....	71
Chapter 86: Counter Terrorism and Counter Radicalisation (CTCR) .....	71
Chapter 87: A Spotlight on Terrorism in India .....	73
Chapter 88: The history of terrorism in India.....	73
Chapter 89: Terrorism in India, can be broadly categorised in three distinct parts: .....	73
Chapter 90: Counter Terror Strategies .....	74
Domestic Structure and Capabilities.....	75
Chapter 91: More Ado about Counter Terrorism Strategies .....	75
Domestic Structure and Capabilities.....	76
Chapter 92: Domestic Structure and Capabilities.....	76
Chapter 93: More about Terrorism.....	77

The Nature of the Threat: Domestic and Foreign .....	77
Chapter 94: The Path Forward: Coordination and Capacity-Building.....	78
An American Role .....	80
Chapter 95: The November 2008 deadly terrorist assault .....	80
Why is India the target of so many terrorist attacks? .....	80
More From Our Experts .....	80
Jammu and Kashmir .....	81
Andhra Pradesh .....	81
Chapter 96: Countering the Menace of Terrorism.....	81
What groups are involved in terrorism in India? .....	81
Terrorism and Counterterrorism .....	82
Chapter 97: What agencies are responsible for fighting terrorism in India? .....	82
How does the government react to terrorist attacks? .....	83
How have India's counterterrorism agencies performed? .....	84
Chapter 98: Anti-Terrorism Legislation .....	84
Chapter 99: What is Organized Crime? .....	84
Chapter 100: Crime Scenario In India .....	85
Chapter 101: Organized Crime: More About it.....	86
Criminal - Politician Nexus:.....	86
Characteristics of Organized Crime:.....	87
Types Of Organized Crimes:.....	87
Responses to organized crime: .....	89
The Law enforcement perspective: .....	89
The social and economic perspective: .....	89

## **Chapter 1: What is Internal Security?**

There are many internal challenges in our country. Internal security challenges refer to the challenges within the country, ministry of home affairs takes care of internal security.

## **Chapter 2: J & K situation**

Since childhood as I have been listening that in j&k terrorist attack happen most of the time and people of j&k seems they are struggling with their life and living in the threats each day. The Government abrogated the art 370 in 2019 which resulted in the Chaos among people of the country many people argued that this is the abrogation of the right of the people of j&k, on the other hand, many supported this, recently election held in j&k with 51% voting percentage which is a good sign as people wants a good democrat which regulate them amid COVID-19 so we can conclude that in our country we have within a difference of opinion.

## **Chapter 3: North eastern issues**

In northeast terrorist attack also happened but here the situation is different from Kashmir, many people think that northeastern people are different from the people of India as we have seen in during COVID-19 lockdown we have seen the partiality amongst each other India is a country with unity in diversity but from the same country, we are differentiated within the border.

3-China- In April 2020 Chinese surprised India with the incursion in Ladakh range in Galwan valley, Depsang plans and it's been almost a year Chinese views has not been changed much China wants to triangulate came up with the Counter encirclement strategy is known as String and pearls china continuously trying to encircle India for this China bought Hampton port in Srilanka also Gawadar port in Pakistan India also come up with counter encirclement strategy known as Neckless of diamonds to encircle China so china seems like the biggest threat to our country

Now Untraditional challenges which threats the internal security of India

## **Chapter 4: Social Media**

Now everyone using social media which is useful to get updated but there are pros and cons in everything Social media looks like the biggest threat as we can conclude from last year misinformation which spread through social media resulted in Mob lynching in Rajsthan and many states in the country. -Unity-India is a country of unity in diversity but financially and Socially we are divided which leads to frustration within the country and threats to the internal security of India. For all this issue government should make

proper policy which could be implemented as BR Ambedkar had said things which cannot be amended should be ended.

## **Chapter 5: Statutes related to Internal Security**

### **Chapter 6: The Rashtriya Raksha University Act, 2020**

An Act to establish and declare an institution to be known as the Rashtriya Raksha University as an institution of national importance and to provide for its incorporation and matters connected therewith or incidental thereto. BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:

**Chapter I Preliminary** 1. (1) This Act may be called the Rashtriya Raksha University Act, 2020. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. 2. Whereas the objects of the Rashtriya Raksha University are such as to make it an institution of national importance, it is hereby declared that the Rashtriya Raksha University is an institution of national importance. Short title and commencement. Declaration of Rashtriya Raksha University as an institution of national importance.

**Ministry Of Law And Justice** (Legislative Department) New Delhi, the 28th September, 2020/Asvina 6, 1942 (Saka) In this Act, unless the context otherwise requires,— (a) "Academic Council" means the Academic Council of the University referred to in section 17; (b) "affiliated college" means an institution recognised as such by the Executive Council in accordance with the provisions of this Act and the Statutes made thereunder; (c) "college" means an institution maintained by or admitted to the privileges of the University and includes an affiliated college; (d) "Dean" means the Dean of the University appointed under section 25; (e) "department" means an academic department of the University; (f) "distance education system" means the system of imparting education through any means of communication, such as, broadcasting, telecasting, internet, correspondence courses, seminars, contact programmes or the combination of any two or more such modes; (g) "employee" means any person appointed by the University and includes teachers, other academic and non-academic staff of the University; (h) "Executive

Council" means the Executive Council of the University constituted under section 16; (i) "Finance Committee" means the Finance Committee of the University constituted under section 19; (j) "Fund" means the Fund of University referred to in section 31; (k) "Governing Body" means the Governing Body of the University constituted under section 13; (l) "notification" means a notification published in the Official Gazette; (m) "Pro Vice-Chancellor" means the Pro Vice-Chancellor of the University appointed under section 23; (n) "Registrar" means the Registrar of the University appointed under section 24; (o) "School" means a school of study of the University; (p) "Statutes" and "Ordinances" mean, respectively, the Statutes and Ordinances of the University made under this Act; (q) "student" means a student of the University and includes any person who has enrolled for pursuing any course of study in the University; (r) "teachers" means professors, associate professors and assistant professors appointed or recognised as such by Statutes for the purposes of imparting instruction in the University or for giving guidance for research or rendering assistance to students for pursuing any course of study in the University; (s) "University" means the Rashtriya Raksha University established under section 4; (t) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section

## **Chapter 7: Criminal Law Amendment Act**

THE CRIMINAL LAW AMENDMENT ACT, 1961 ACT NO. 23 OF 1961 [17th May, 1961.] An Act to supplement the criminal law. BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows: - 1. Short title and extent. 1. (1) Short title and extent. This Act may be called the Criminal Law Amendment Act, 1961. (2) It extends to the whole of India except the State of Jammu and Kashmir. 2. Questioning the territorial integrity or frontiers of India in a manner prejudicial to the interests of safety and security of India. 2. Questioning the territorial integrity or frontiers of India in a manner prejudicial to the interests of safety and security of India. (1) Whoever by words either spoken or written, or by signs, or by visible representation or otherwise, questions the territorial integrity or frontiers of India in a manner which is, or is likely to be, prejudicial to the interests of the safety or security of India, shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both. 1\*[(2) Whoever publishes a map of India, which is not in conformity with the maps of India as published by the Survey of India, shall be punishable with imprisonment which may be extend to six months, or with fine, or with both. (3) No court shall take cognizance of an offence punishable under sub-section (2), except on a complaint made by the Government.]



## **Chapter 8: The Punjab Special Powers (Press) Act.**

The Punjab Special Powers (Press) Act, 1956. Extended to the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union by Punjab Act No. 5 of 1957. 2 Amended by Punjab Act No. 40 of 1957. 3 Punjab Act No. 29 of 1960. 4 BE it enacted by the Legislature of the State of Punjab in the Seventh Year of the Republic of India as follows:- 1. Short title extent and commencement: (1) This Act may be called the Punjab Special Powers (Press) Act, 1956. (2) It extends to the State of Punjab. (3) It shall come into force at once.

Power to control publication: (1) The State Government or any authority so authorized in this behalf if satisfied that such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony affecting or likely to affect public order may, by order in writing addressed to a printer, publisher or editor:- (a) prohibit the printing or publication in any document or any class of documents of any matter relating to a particular subject or class of subjects for a specified period or in a particular issue or issues of a newspaper or periodical. Provided that no such order shall remain in force for more than two months from the making thereof <sup>1</sup>[unless before the expiry of such period the State Government, by an order made in the like manner, extends it by any period not exceeding two months at a time as it thinks fit so, however, that the total period of the original order does not exceed six months]. Provided further that the person against whom the order has been made may, within ten days of the passing of this order, make a representation to the State Government, which may on consideration thereof modify, confirm or rescind the order; (b) require that any matter, covering not more than two columns, be published in any particular issue or issues of a newspaper or periodical on payment of adequate remuneration and may, while doing so, specify the period (not exceeding one week) during which and the manner in which such publication shall take place; (c) require that any matter relating to a particular subject or class of subjects, shall before publication be submitted for scrutiny by an authority appointed by the State Government in its behalf and published only in accordance with the directions given thereat.

## **Chapter 9: The Arms (Amendment) Act, 2019**

An Act further to amend the Arms Act, 1959. BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:— 1. (1) This Act may be called the Arms (Amendment) Act, 2019. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. 2. In the Arms Act, 1959 (hereinafter referred to as the principal Act), in section 2, after clause (e), the following clause shall be inserted, namely:— '(ea) "licence" means a licence issued in accordance with the provisions of this Act and rules made thereunder and includes a licence issued in the electronic

form;'. The following Act of Parliament received the assent of the President on the 13th December, 2019, and is hereby published for general information:— 2

THE GAZETTE OF INDIA EXTRAORDINARY [PART II— 3. In section 3 of the principal Act, in sub-section (2),— (i) for the words "three firearms", the words "two firearm" shall be substituted; (ii) for the proviso, the following provisos shall be inserted, namely:— "Provided that a person who has in his possession more firearms than two at the commencement of the Arms (Amendment) Act, 2019, may retain with him any two of such firearms and shall deposit, within one year from such commencement, the remaining firearm with the officer in charge of the nearest police station or, subject to the conditions prescribed for the purposes of sub-section (1) of section 21, with a licensed dealer or, where such person is a member of the armed forces of the Union, in a unit armoury referred to in that sub-section after which it shall be delicensed within ninety days from the date of expiry of aforesaid one year: Provided further that while granting arms licence on inheritance or heirloom basis, the limit of two firearms shall not be exceeded.". 4. In section 5 of the principal Act, in sub-section (1), in clause (a), for the word "manufacture,", the words "manufacture, obtain, procure," shall be substituted. 5. In section 6 of the principal Act, after the words "convert an imitation firearm into a firearm", the words and figures "or convert from any category of firearms mentioned in the Arms Rules, 2016 into any other category of firearms" shall be inserted. 6. In section 8 of the principal Act, in sub-section (1), for the word "firearm", the words "firearm or ammunition" shall be substituted. 7. In section 13 of the principal Act, in sub-section (3), in clause (a), in sub-clause (ii), for the words and figures "point 22 bore rifle or an air rifle", the word "firearm" shall be substituted. 8. In section 15 of the principal Act, in sub-section (1),— (a) for the words "period of three years", the words "period of five years" shall be substituted; (b) after the proviso, the following proviso shall be inserted, namely:— "Provided further that the licence granted under section 3 shall be subject to the conditions specified in sub-clauses (ii) and (iii) of clause (a) of sub-section (1) of section 9 and the licensee shall produce the licence along with the firearm or ammunition and connected document before the licensing authority after every five years from the date on which it is granted or renewed.".

## **Chapter 10: More About it**

The following Act of Parliament received the assent of the President on the 3rd April 1993, and is hereby published for general information:- THE ACQUISITION OF CERTAIN AREA AT AYODHYA ACT, 1993 NO. 33 OF 1993 [3rd April,1993] An Act to provide for the acquisition of certain area at Ayodhya and for matters connected therewith or incidental thereto. WHEREAS there has been a long-standing

dispute relating to the structure (including the premises of the inner and outer courtyards of such structure), commonly known as the Ram Janma Bhumi-Babri Masjid, situated in village Kot Ramchandra in Ayodhya, in Pargana Haveli Avadh, in tehsil Faizabad Sadar, in the district of Faizabad of the State of Uttar Pradesh; AND WHEREAS the said dispute has affected the maintenance of public order and harmony between different communities in the country; AND WHEREAS it is necessary to maintain public order and to promote communal harmony and the spirit of common brotherhood amongst the people of India; AND WHEREAS with a view to achieving the aforesaid objectives, it is necessary to acquire certain areas in Ayodhya; BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:-

**CHAPTER I PRELIMINARY**

**1. Short title and commencement.** (1) This Act may be called the Acquisition of Certain Area at Ayodhya Act, 1993. (2) It shall be deemed to have come into force on the 7th day of January, 1993.

**2. Definitions.** In this Act, unless the context otherwise requires,-

(a) "area" means the area (including all the buildings, structures or other properties comprised therein) specified in the Schedule;

(b) "authorised person" means a person or body of persons or trustees of any trust authorised by the Central Government under section 7;

**THE GAZETTE OF INDIA EXTRAORDINARY**

(c) "Claims Commissioner" means the Claims Commissioner appointed under subsection (2) of section 8;

(d) "prescribed" means prescribed by rules made under this Act.

**CHAPTER II ACQUISITION OF THE AREA IN AYODHYA**

**3. Acquisition of rights in respect of certain area.** On and from the commencement of this Act, the right, title and interest in relation to the area shall, by virtue of this Act, stand transferred to, and vest in, the Central Government.

**4. General effect of vesting.** (1) The area shall be deemed to include all assets, rights, leaseholds, powers, authority and privileges and all property, movable and immovable, including lands, buildings, structures, shops of whatever nature or other properties and all other rights and interests in, or arising out of, such properties as were immediately before the commencement of this Act in the ownership, possession, power or control of any person or the State Government of Uttar Pradesh, as the case may be, and all registers, maps, plans, drawings and other documents of whatever nature relating thereto. (2) All properties aforesaid which have vested in the Central Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them and any attachment, injunction, decree or order of any court or tribunal or other authority restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall cease to have any effect. (3) If, on the commencement of this Act, any suit, appeal or other proceeding in respect of the right, title and interest relating to any property which has vested in the Central Government under section 3, is pending before any court, tribunal or other authority, the same shall abate.

**5. Duty of person**

or State Government in charge of the management of the area to deliver all assets, etc. (1) The Central Government may take all necessary steps to secure possession of the area which is vested in that Government under section 3. (2) On the vesting of the area in the Central Government under section 3, the person or State Government of Uttar Pradesh, as the case may be, in charge of the management of the area immediately before such vesting shall be bound to deliver to the Central Government or the authorised person, all assets, registers and other documents in their custody relating to such vesting or where it is not practicable to deliver such registers or documents, the copies of such registers or documents authenticated in the prescribed manner.

## **Chapter 11: Constitution of a National Human Rights Commission**

(1) The Central Government shall constitute a body to be known as the National Human Rights Commission to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act. (2) The Commission shall consist of: (a) a Chairperson who has been a Chief Justice of the Supreme Court; (b) one Member who is or has been, a Judge of the Supreme Court; (c) one Member who is, or has been, the Chief Justice of a High Court; (d) two Members to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to human rights. (3) The Chairperson of the National Commission for Minorities, 1[the National Commission for the Scheduled Castes, the National Commission for the Scheduled Tribes]and the National Commission for Women shall be deemed to be Members of the Commission for the discharge of functions specified in clauses (b) to (j) of section 12. (4) There shall be a Secretary-General who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission<sup>2</sup> [except judicial functions and the power to make regulations under section 40 B], as may be delegated to him by the Commission or the Chairperson as the case may be. 1 Subs. by Act 43 of 2006 for “The National Commission for the Scheduled Castes and Scheduled Tribes.” 2 Subs. by Act 43 of 2006 for “as it may delegate to him.” 2 3 43 of 2006 43 of 2006 20 of 1990 45 of 1860 (5) The headquarters of the Commission shall be at Delhi and the Commission may, with the previous approval of the Central Government, establish offices at other places in India. 4. Appointment of Chairperson and other Members (1) The Chairperson and [the Members]<sup>1</sup> shall be appointed by the President by warrant under his hand and seal; Provided that every appointment under this sub-section shall be made after obtaining the recommendations of a Committee consisting of– (a) The Prime Minister — Chairperson (b) Speaker of the House of the People — Member (c) Minister in-charge of the Ministry of Home Affairs in the Government of India — Member (d) Leader of the Opposition in the House of the People — Member (e) Leader of the Opposition in the Council of

States — Member (f) Deputy Chairman of the Council of States — Member Provided further that no sitting Judge of the Supreme Court or sitting Chief Justice of a High Court shall be appointed except after consultation with the Chief Justice of India. (2) No appointment of a Chairperson or a Member shall be invalid merely by reason of any [vacancy of any member in the Committee referred to in the first proviso to sub-section (1)]2. 5. Resignation and removal of Chairperson and Members3 (1) The Chairperson or any Member may, by notice in writing under his hand addressed to the President of India, resign his office. (2) Subject to the provisions of sub-section (3), the Chairperson or any Member shall only be removed from his office by order of the President of India on the ground of proved misbehaviour or incapacity after the Supreme Court, on reference being made to it by the President, has, on inquiry held in accordance with the procedure prescribed in that behalf by the Supreme Court, reported that the Chairperson or the Member, as the case may be, ought on any such ground to be removed. (3) Notwithstanding anything in sub-section (2), the President may, by order, remove from office the Chairperson or any Member if the Chairperson or such Member, as the case may be— (a) is adjudged an insolvent; or (b) engages during his term of office in any paid employment outside the duties of his office; or (c) is unfit to continue in office by reason of infirmity of mind or body; or (d) is of unsound mind and stands so declared by a competent court; or (e) is convicted and sentenced to imprisonment for an offence which in the opinion of the President involves moral turpitude. 6. Term of office of Chairperson and Members1 (1) A person appointed as Chairperson shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is earlier. (2) A person appointed as a Member shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for another term of five years. Provided that no Member shall hold office after he has attained the age of seventy years. (3) On ceasing to hold office, a Chairperson or a Member shall be ineligible for further employment under the Government of India or under the Government of any State. 7. Member to act as Chairperson or to discharge his functions in certain circumstances (1) In the event of the occurrence of any vacancy in the office of 1 Subs. by Act 43 of 2006 for “other members” the Chairperson by reason of his death, resignation or otherwise, the 2 Subs. by Act 43 of 2006 for “vacancy in the Committee” 3 Subs. by Act 43 of 2006 4 5 1 Subs. by Act 43 of 2006 President may, by notification, authorise one of the Members to act as the Chairperson until the appointment of a new Chairperson to fill such vacancy. (2) When the Chairperson is unable to discharge his functions owing to absence on leave or otherwise, such one of the Members as the President may, by notification, authorise in this behalf, shall discharge the functions of the Chairperson until the date on which the Chairperson resumes his duties. 8. Terms and conditions of service of Chairperson and Members

The salaries and allowances payable to, and other terms and conditions of service of, the<sup>1</sup> [Chairperson and] Members shall be such as may be prescribed. Provided that neither the salary and allowances nor the other terms and conditions of service of<sup>2</sup> [the Chairperson or] a Member shall be varied to his disadvantage after his appointment.] 9. Vacancies, etc., not to invalidate the proceedings of the Commission No act or proceedings of the Commission shall be questioned or shall be invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Commission. 10. Procedure to be regulated by the Commission (1) The Commission shall meet at such time and place as the Chairperson may think fit. (2) Subject to the provisions of this Act and the rules made thereunder, the Commission shall have the power to lay down by regulations its own procedure<sup>3</sup>. (3) All orders and decisions of the Commission shall be authenticated by the Secretary-General or any other officer of the Commission duly authorised by the Chairperson in this behalf. 11. Officers and other staff of the Commission (1) The Central Government shall make available to the Commission: (a) an officer of the rank of the Secretary to the Government of India who shall be the Secretary-General of the Commission; and (b) such police and investigative staff under an officer not below the rank of a Director General of Police and such other officers and staff as may be necessary for the efficient performance of the functions of the Commission. (2) Subject to such rules as may be made by the Central Government in this behalf, the Commission may appoint such other administrative, technical and scientific staff as it may consider necessary. (3) The salaries, allowances and conditions of service of the officers and other staff appointed under sub-section (2) shall be such as may be prescribed. 1 Inserted by Act 43 of 2006 2 Inserted by Act 43 of 2006 3 Subs. by Act 43 of 2006 6 7 CHAPTER III FUNCTIONS AND POWERS OF THE COMMISSION 12. Functions of the Commission The Commission shall perform all or any of the following functions, namely:- (a) inquire, suo motu or on a petition presented to it by a victim or any person on his behalf [or on a direction or order of any court]<sup>1</sup>, into complaint of (i) violation of human rights or abetment thereof; or (ii) negligence in the prevention of such violation, by a public servant; (b) intervene in any proceeding involving any allegation of violation of human rights pending before a court with the approval of such court; (c)<sup>2</sup> visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government; (d) review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation; (e) review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate

remedial measures;

## **Chapter 12: The Add on Act:**

“manufacturer” means a person, who manufactures, sells, tests (other than proof-test), exports, imports or transfers or keeps for sale, or test (other than proof-test) firearms, their parts, components or ammunition or arms other than firearms; (31) “manufacturing” means making, producing or assembling: — (i) a complete firearm; (ii) a pressure-bearing part or component of a firearm (e.g. barrel, slide, cylinder, bolt, breech lock, firing pin, etc.); (iii) ammunition for firearm; or (iv) an arm other than a firearm, and includes — (i) reactivating a deactivated firearm; and (ii) substantially modifying the function of a firearm (e.g. conversion to fully automatic), but does not include — (i) repair, restoration, maintenance or cosmetic enhancement or alteration of a firearm; nor (ii) the non-commercial reloading of ammunition; (32) “marking” means application of permanent inscriptions on firearms, ammunition and ammunition packaging to permit their identification; (33) “muzzle energy” means the kinetic energy of a projectile as it is expelled from the muzzle of a firearm and expressed in joules or foot-pounds; (34) “NDAL” means National Database of Arms Licences; (35) “paintball” means a projectile (spherical gelatin capsule) that primarily consists of non-toxic water soluble substances and dye designed to mark a person or an object; (36) “paintball marker or paintball gun” means a device capable of firing paintballs by use of an expanding gas or compressed air, whether operated mechanically or electro-pneumatically; (37) “parts and components” mean any element or replacement element specifically designed for a firearm and essential to its operation and includes barrel, frame or receiver, slide or cylinder, bolt or breech block, and any device designed or adapted to diminish the sound caused by firing; (38) “pistol” means a handgun with a chamber as an integral part of, or permanently aligned with, the barrel; (39) “port” includes a seaport, an airport and a land port; (40) “rimless” means a cartridge where the rim has the same diameter as the base of the case and used in firearms that feed from a box magazine; (41) “rimmed cartridge” means where the rim has a significantly larger diameter than the base of the cartridge with the rim serving to hold the cartridge at the proper depth in the chamber; (42) “revolver” means a handgun with a breech-loading, chambered cylinder so arranged that the cocking of the hammer or depression of the trigger rotates the cylinder and brings the next cartridge in line with the barrel for firing; <sup>1</sup>

(43) “repair” of firearm may be minor or major – ‘minor repair’ includes – (i) cleaning and carrying out re-finishing, fixing slings, recoil pads, installation of pre-fabricated stock, general accessories, preservative packaging and ensuring accuracy or safe working of the firearm and its components; (ii) fabricating or replacing or working on old, damaged, worn-out, eroded, shot-out part of a firearm

(excluding barrels or receivers or frames or breech bodies or bolts) for the purpose of repair and safe functioning; (iii) making and replacing stocks, grips (butt stock) and other parts; (iv) ensuring accuracy or safe working of the firearm by means of carrying out work on complete barreled action, fabricating, fitting or adjusting optics, sights, other components, etc., including test firing; (v) making and installing accessories and tuning fabricated parts. ‘major repair’ requires extensive primary and secondary machining operations of critical parts and includes – (i) working on critical parts including fabrication of components like barrels and actions (re-boring or re-chambering or replacing or remaking barrels, re-machining of receivers or frames, bolts, slides, cylinders, breech, etc. and other components) for the purpose of repair or conversion; (ii) shortening, conversion, working on triggers, safeties and general safety testing of firearms and devices including firing or testing of firearms repaired or converted. (44) “responsible person” means in the case of a company, the person nominated in an application for an arms licence by a company; (45) “rifle” means a small arm designed to expel, through the action of an explosive, a single projectile through a rifled barrel, while supported against the shoulder and held with both hands; (46) “Schedule” means a Schedule appended to these rules; (47) “selective fire” means capability of a small arm or light weapon that can be adjusted to fire in two or more of the following ways: (i) semi-automatic (i.e. one shot per depression of the trigger); (ii) multi-shot burst (i.e. a set number of shots per depression of the trigger); or (iii) automatic (i.e. continuous fire while the trigger is depressed) (48) “self-loading” means semi-automatic;

### **Chapter 13: The Add on Act**

MINISTRY OF HOME AFFAIRS NOTIFICATION New Delhi, the 12th August, 2014 S.O. 2050 (E).—

Whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967) (herein after referred to as said Act), declared the Students Islamic Movement of India (SIMI) to be unlawful association vide notification of the Government of India in the Ministry of Home Affairs number S.O. 299 (E), dated the 1st February, 2014 herein (herein after referred to as said notification); And, whereas, the Central Government in exercise of the powers conferred by sub-section (1) of section 5 of the said Act constituted vide notification of the Government of India in the Ministry of Home Affairs number S.O. 578 (E), dated 27th February, 2014, the Unlawful Activities (Prevention) Tribunal consisting of Mr. Justice Suresh Kait, Judge of the High Court of Delhi; And, whereas, the Central Government in exercise of the powers conferred by sub-section (1) of section 4 of the said Act referred the said notification to the said Tribunal on the 28th February, 2014 for the purpose of adjudicating whether or not there was sufficient cause for declaring the said



association as unlawful; And, whereas, the said Tribunal in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, made an order on the 30th July, 2014, confirming the declaration made in the notification number S.O. 299 (E), dated the 1st February, 2014. Now, therefore, in pursuance of sub-section (4) of section 4 of the said Act, the Central Government hereby publishes the following order of the said Tribunal, namely :— UNLAWFUL ACTIVITIES (PREVENTION) TRIBUNAL NEW DELHI Date of decision: 30th July, 2014 In Re: Banning of Students Islamic Movement of India under the Unlawful Activities (Prevention) Act, 1967. Gazette Notification No. S.O.299(E) dated 1st February, 2014 issued by the Central Government under Section 3(1) of the Unlawful Activities (Prevention) Act, 1967. IN THE MATTER OF: UNION OF INDIA Through: Ms. Pinki Anand, Sr. Advocate and Addl. Solicitor General of India, Mr. Rajeev Mehra, Senior Advocate, Mr. Sachin Datta and Mr. Ravinder Agarwal, Mr. Rajesh Ranjan and Mr. Balendu Shekhar, Advocates and Mr. Aditya Malhotra, Central Govt. Pleader along with Mr. U.C. Srivastava, Under Secretary, Mr. Manoj Kumar Singh, Investigator, Mr. H. Biswas, Research Officer and Mr. U.K. Das, Assistant from the Ministry of Home Affairs. Versus STUDENTS ISLAMIC MOVEMENT OF INDIA Through: Mr. Ashok Agrawal, Mr. Mobin Akhtar and Ms. Sridevi Panniker, Advocates for Mr. Humam Ahmed Siddiqui & Mr. Misbah-Ul-Islam, former members of SIMI

The Central Government, in exercise of powers conferred by Section 3(1) of the Unlawful Activities (Prevention) Act, 1967, vide Notification No. S.O. 299(E) dated 1st February, 2014, declared the Students Islamic Movement of India [for short 'SIMI'] as an 'Unlawful Association' and directs that this notification shall, subject to any order that may be made under Section 4 of the said Act, have effect for a period of five years from the date of its publication in the Official Gazette. 3. Therefore, the Central Government, in exercise of the powers conferred by Section 5(1) read with Section 4(1) of the Act, vide Notification No. S.O. 578(E) dated 27th February, 2014 constituted this Tribunal for the purpose of adjudicating whether or not there is 'sufficient cause' for declaring SIMI as an Unlawful Association, which has already been declared as such by the Central Government vide its notification No. S.O.299(E) dated 1st February, 2014. A reference was made to this Tribunal under the provisions of Section 4 of the Act, which was received by this Tribunal on 28th February, 2014. 4. Along with the aforesaid Notification, the Central Government furnished a background note on SIMI stating the objectives and the activities of SIMI before imposition of the first ban in the year 2001, till the imposition of this ban in the year 2014. As per the background note, the objectives of SIMI are as under: (i) Governing of human life on the basis of Quran; (ii) Propagation of Islam; (iii) "Jihad" (religious war) for the cause of Islam; and (iv) Destruction

of Nationalism and establishment of Islamic Rule or Caliphate. 5. The background note states the following activities of SIMI after February, 2012 and before imposition of seventh ban in February, 2014 as the grounds for continuation of the ban:- (a) Ex-SIMI leaders/activists have continued their activities in pursuance of SIMI's ideology of establishment of Dar-ul-Islam (land of Islam) through Jihad; (b) Holding meetings including secret meetings, making strategies to induct new members, discussing and raising funds and liaising with like-minded organizations like Popular Front of India and Hizb-ut-Tahrir; (c) Aimed at radicalizing Muslim youth and motivating them for Jihad, arousing in them a sense of being discriminated against, cultivating alienation from democratic institutions including the legislature, Judiciary, elections and security agencies of the country and cultivating ideas derogatory of other religions etc.; (d) Furthering the objectives of SIMI through cover organizations including Muslim Students Association/MSA, Wahadat-e-Islami/WEI, Minority Right Watch, Islamic Students Association, etc. to escape scrutiny; 6. The Central Government in their Gazette Notification dated 1st February, 2014 has summarized the cases involving SIMI, alleging that its activists were indulging in activities which are prejudicial to the integrity and security of the country. The cases have been summarized as under:- (a) Case Crime No. 126/2012 has been registered at Saidabad Police Station, Hyderabad, Andhra Pradesh under sections 147, 148, 324 and 153(A) read with section 149 of the Indian Penal Code and section 7(1) of the Criminal Law (Amendment) Act, 1932 (23 of 1932) against the accused Javeed Khan and 17 others including 3 ex-SIMI cadres for attacking and beating the victim, M. Siva Shankar Reddy, in connection with an incident of communal flare up consequent to the alleged defiling of one Hanuman temple at Kurmaguda in Madannapet locality; (b) Case Crime No. 128/2012 has been registered at Saidabad Police Station, Hyderabad, Andhra Pradesh under sections 147, 148, 324 and 153(A) read with section 149 of the Indian Penal Code and section 7(1) of the Criminal Law (Amendment) Act, 1932 (23 of 1932) against the accused Javeed Khan and 17 others including 3 ex-SIMI cadres for attacking the Hindu leaders Bangari Prakash and others and damaging their vehicle when they were visiting the locality of Saidabad in connection with communal flare up consequent to the alleged defiling of one Hanuman temple at Kurmaguda in Madannapet locality; (c) Case Crime No. 130/2012 has been registered at Saidabad Police Station, Hyderabad, Andhra Pradesh under sections 147, 148, 324 and 153(A) read with section 149 of the Indian Penal Code and section 7(1) of the Criminal Law (Amendment) Act, 1932 (23 of 1932) against the accused Javeed Khan and 17 others including 3 ex-SIMI cadres for attacking one Srinivas Reddy of Saidabad and damaging window panes of 4 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. 3(ii)] his car in connection with the incident of communal flare up consequent to the alleged defiling of one Hanuman temple at Kurmaguda in Madannapet locality; (d) Case Crime No. 133/2012 has

been registered at Saidabad Police Station, Hyderabad, Andhra Pradesh under sections 147, 148, 324 and 153(A) read with section 149 of the Indian Penal Code and section 7(1) of the Criminal Law (Amendment) Act, 1932 (23 of 1932) against the accused Javeed Khan and 17 others including 3 ex-SIMI cadres for attacking one D. Rahul Singh with stones near ACP Office, Malakpet in connection with an incident of communal flare up consequent to the alleged defiling of one Hanuman temple at Kurmaguda in Madannapet locality; (e) Case Crime No. 24/2013 has been registered at Ranip Police Station, Ahmedabad, Gujarat under Sections 224, 120B and 511 of Indian Penal Code read with section 45 of the Prisons act, 1894 (9 of 1894) against 14 accused persons, undertrials in the case of bomb blasts, for assembling and conspiring and trying to escape Sabarmati central Jail by digging the earth beneath the water tank and digging 10 to 12 feet long tunnel in prohibited area of judicial custody; (f) Case Crime No. 17/2013 has been registered at D.C.B. Police Station, Ahmedabad, Gujarat under sections 217, 218, 201 and 120(B) of the Indian Penal Code against 9 accused persons including jail officials for helping and shielding the prisoner who dug a tunnel in the Sabarmati Central Jail for escaping from the Jail; (g) Case Crime No. 209/2013 has been registered at Kotwali Police Station, Khandwa, Madhya Pradesh under section 124(A) of Indian Penal Code and section 3, 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967) against 1 accused person for inclusion of sections 124(A) and 295(A) of the Indian Penal Code and sections 3, 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 in old Case Crime No. 237/2006 registered at Kotwali Police Station, Khandwa, Madhya Pradesh under sections 153(A), 147, 452 and 336 of Indian Penal Code; (h) Case Crime No. 541/2013 has been registered at Kotwali Police Station, Khandwa, Madhya Pradesh under sections 395, 307, 353 and 332 of Indian Penal Code and additionally, sections 3, 10, 13 and 16 of the Unlawful Activities (Prevention) Act, 1967 against 6 accused persons who are ex-SIMI members and escaped from the Khandwa Jail, Madhya Pradesh on 1st October, 2013; (i) Case Crime No. 542/2013 has been registered at Kotwali Police Station, Khandwa, Madhya Pradesh under section 224 of Indian Penal Code and additionally, sections 3, 10, 13 and 16 of the Unlawful Activities (Prevention) Act, 1967 against 6 accused persons who are ex-SIMI members and escaped from the Khandwa Jail, Madhya Pradesh on 1st October, 2013; (j) Case Crime No. 2/2012 has been registered at ATS Kalachowki Police Station, Mumbai, Maharashtra under sections 153(A), 120(B), 468 and 471 of the Indian Penal Code and sections 10, 13, 16 and 18 of the Unlawful Activities (Prevention) Act, 1967 read with sections 3 and 25 of the Arms Act, 1959 against 5 accused persons. The Aurangabad Unit of the anti Terrorist Squad, Maharashtra received information that one Abrar @ Munna @ Abdulla @ Ismail, an active member of the banned Students Islamic Movement of India (SIMI) and Indian Mujahiddin (IM) and an absconder in the Ahmedabad Serial Blast case of 2008, was likely to meet

his associates in Aurangabad city for committing a terrorist act. The officers of Anti Terrorist Squad, Aurangabad Unit, laid a trap to arrest the absconding member of SIMI. During the operation, the suspect opened fire at the police party, who retaliated in self-defence and this ultimately resulted in the death of one of the suspect, namely, Khalil @ Azhar Qureshi and detention of two suspects, namely Mohd. Abrar Khan @ Munna Babu Khan and Shaker @ Khalil Akil Khilji. Pursuant to the incident of exchange of fire and arrest of suspects, a cognizable offence vide Begumpura P.S. CR No. 25/2012 under sections 307, 333, 335, 336, 338, 352, 353 and 34 of Indian Penal Code read with sections 3, 25 and 27 of the Arms Act, 1959 read with section 135 of the Bombay Police Act was registered.

#### **Chapter 14: The Banning of Simmi Act**

MINISTRY OF HOME AFFAIRS NOTIFICATION New Delhi, the 31st January, 2019 S.O. 564(E).— Whereas the Students Islamic Movement of India (hereinafter referred to as the SIMI) has been indulging in activities, which are prejudicial to the security of the country and have the potential of disturbing peace and communal harmony and disrupting the secular fabric of the country; And whereas, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government declared the SIMI as an unlawful association, vide, notification numbers, (i) S.O. 960 (E), dated the 27th September, 2001, (ii) S.O. 1113 (E), dated the 26th September, 2003, (iii) S.O. 191 (E), dated the 8th February, 2006, (iv) S.O. 276(E), dated the 7th February, 2008, (v) S.O. 260 (E), dated the 5th February, 2010, (vi) S.O. 224 (E), dated the 3rd February, 2012 and (vii) S.O. 299(E), dated the 1st February, 2014, respectively; And whereas, the Unlawful Activities (Prevention) Tribunal (hereinafter referred to as the Tribunal) was constituted under section 5 of the Unlawful Activities (Prevention) Act, 1967 for the purpose of adjudicating whether or not there is sufficient cause for declaring the SIMI as an unlawful association and the Tribunal by its orders published, vide, notification numbers, (i) S.O. 397 (E), dated the 8th April, 2002, (ii) S.O. 499 (E), dated the 16th April, 2004, (iii) S.O. 1302 (E), dated the 11th August, 2006, (iv) S.O. 1990 (E), dated the 12th August, 2010, (v) S.O. 1745 (E), dated the 6th August, 2012 and (vi) S.O. 2050(E), dated the 12th August, 2014, respectively, has confirmed the declaration so made; And whereas, the duration of ban under sub-section (1) of section 6 of the Unlawful Activities (Prevention) Act, 1967 shall cease on the 31st day of January, 2019;

And whereas, the Central Government is of the opinion that SIMI is indulging in the activities which are prejudicial to the integrity and security of the country on the basis, inter alia, of the following grounds, namely:— (1) Case Crime No. 377/2017 has been registered at Civil Lines Police Station, Gaya, Bihar under sections 216, 124A, 120B and 34 of the Indian Penal Code and under sections 13, 16, 18, 19,

20 <sup>1</sup>Hkkx IIµ[k.M 3(ii)° Hkkjr dk jkti=k % vlk/kj.k 11 and 38 of the Unlawful Activities (Prevention) Act, 1967 against the accused Pathan Tauseef Khan alias Mohd. Atiq, Shahanshah Khan alias Sanna Khan, Gulam Sarvar Khan and their unknown associates for their alleged involvement into seditious activities, harboring terrorist, being the member of proscribed terrorist organisation and getting involved into terror related activities; (2) Case Crime No. 309/2014 has been registered at Cubbon Park Police Station, Bengaluru, Karnataka under sections 121, 121A, 120B, 153, 307 and 302 of the Indian Penal Code and sections 3, 4 and 5 of the Explosive Substances Act, 1908 and sections 3, 10, 15, 16, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 against the accused Alamjeb Afridi alias Alamjeb Khan alias Mohammed Rafiq alias Jaweed alias Jaid Afridi alias Alamzeb Khan alias Chikna alias Javed in the matter of Bangalore Church Street Blast. This case was taken over by National Investigation Agency and re-registered the case as National Investigation Agency Case No. RC 01/2015/NIA/Hyd. on 20.05.2015; (3) Case Crime No. 424/2014 has been registered at MP Nagar Police Station, Bhopal, Madhya Pradesh under sections 295, 153B and 34 of the Indian Penal Code and section 10 of the Unlawful Activities (Prevention) Act, 1967 against the accused Majid Nagori and seventeen others. Accused Akil Khilji, Khalid Ahmed and Abdul Majid had shot dead in police encounter after absconding from judicial custody. After hearing, the Court of Chief Judicial Magistrate, Bhopal has convicted the rest of the fifteen accused under sections 153B and 295B of the Indian Penal Code for three years rigorous imprisonment and fine of rupees one thousand for each accused person; (4) Case Crime No. 100/2015 has been registered at Gandhi Nagar Police Station, Bhopal, Madhya Pradesh under sections 294, 353, 506 and 34 of the Indian Penal Code against the accused Abu Faizal and Sharafat. After hearing, the Court of Chief Judicial Magistrate, Bhopal has convicted both the accused under section 353 of the Indian Penal Code for two years rigorous imprisonment and fine of rupees five hundred each and convicted under section 506 of the Indian Penal Code for three years rigorous imprisonment and fine of rupees five hundred for each accused person; (5) Case Crime No. 393/2016 has been registered at Moghat Road Police Station, Khandwa, Madhya Pradesh under section 124A of the Indian Penal Code against the accused Mohd. Aasif Shayar; (6) Case Crime No. 270/2016 has been registered at Gandhi Nagar Police Station, Bhopal, Madhya Pradesh under sections 342, 307, 302, 120B, 224, 34 and 353 of the Indian Penal Code and sections 3, 10, 13, 16, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 against Akeel Khilji and seven others. All the accused have been shot dead in police encounter in Bhopal on 31.10.2016; (7) Case Crime No. 355/2016 has been registered at Gunja Police Station, Bhopal, Madhya Pradesh under sections 307, 147, 148, 149 and 332 of the Indian Penal Code and sections 25 and 27 of the Arms Act, 1959 (54 of 1959) and sections 3, 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 against Akeel Khilji and seven others. All the

accused have been shot dead in police encounter in Bhopal on 31.10.2016; (8) One SIMI activist was sentenced to two years rigorous imprisonment and a fine of rupees one thousand by the Court of Additional Chief Judicial Magistrate, Indore in Case Crime No. 479/2001, registered at Aerodrome Police Station, Indore, Madhya Pradesh under section 10 of the Unlawful Activities (Prevention) Act, 1967; (9) One SIMI activist was sentenced to two years simple imprisonment by the Court of Judicial Magistrate of first class, Indore in Case Crime No. 304/2001, registered at Khajrana Police Station, Indore, Madhya Pradesh under section 10 of the Unlawful Activities (Prevention) Act, 1967; (10) One SIMI activist was sentenced to two years imprisonment and a fine of rupees five hundred by the First Class Court, Burhanpur in Case Crime No. 269/2001, registered at Kotwali Police Station, Burhanpur, Madhya Pradesh under section 153A of the Indian Penal Code and sub-section (1) of section 10 of the Unlawful Activities (Prevention) Act, 1967;

## **Chapter 15: The National Human Rights Commission (NHRC)**

The Commission India was established on 12 October 1993. Its mandate is contained in the Protection of Human Rights Act, 1993 as amended vide the Protection of Human Rights (Amendment) Act, 2006. The constitution of NHRC is in conformity with the Paris Principles that was adopted at the first International Workshop on National Institutions for the Promotion and Protection of Human Rights organized in Paris in October 1991, and endorsed by the General Assembly of the United Nations in Resolution 48/134 of 20th December 1993. The Commission is a symbol of India's concern for the promotion and protection of human rights. Given below are the highlights of the Commission during the period under report.

**Additional Modules in Web-based Complaints Management System**

2.2 The Commission has added Files Weedout module, Scrutiny Consultants module, Database updation request module and General Correspondence module in Web-based version of the Complaint Management Software.

**Additional Reports in Real Time Management Information System (RTMIS)**

2.3 The Commission has added useful reports in the web-based Real Time Management Information System (RTMIS) software which provides information regarding time taken during different stages of case disposal, identify unattended CR diaries for Law Division and reports for average time taken for cases disposal.

**Library e-Granthalaya (Cloud Version)**

2.4 Old version of Library Software (e-Granthlaya) has been replaced with cloud version of e-Granthalaya Library Software in the Library/e-Documentation Centre of NHRC.

**NATIONAL HUMAN RIGHTS COMMISSION Annual Report 2017-2018**

5 **File Movement System**

2.5 NHRC has recommended the use of File Movement System in all of its Divisions/ Sections.

**Migration of Website to NIC Cloud**

2.6 NHRC has elevated its present official website from shared and co-located server to virtual

machines on National Information Centre (NIC) Cloud. NHRC Today Software 2.7 The Commission has developed software for publishing of Aaj ka Sabdh, Today's Quote, Greetings on special occasions on digital signage. Online Human Rights Pledge 2.8 National Human Rights Commission has started a 'Online Human Rights Pledge', on the 26th January, 2018. This pledge can be taken by individual or organisation through MyGov portal or NHRC website. Logo, Slogan/Tagline and Painting Competitions on MyGov Portal 2.9 NHRC is using MyGov platform for spreading awareness about Human Rights. For this purpose, Logo and Slogan/ Tagline and painting competitions have been launched on MyGov Portal. MIS for Parliament Questions Replied by NHRC 2.10 NHRC has designed, developed and implemented software for maintaining records of the Parliament Questions received in the Commission. Guidelines for Indian Government Websites (GIGW) Compliance for NHRC Website 2.11 NHRC has started re-designing and re-developing the official website as per GIGW norms using Content Management Framework with the technical assistance of NIC. Toll Free Number 2.12 NHRC initiated the process of implementing a Human Rights Helpline using Toll Free Services. 6 Annual Report 2017-2018 NATIONAL HUMAN RIGHTS COMMISSION E-wishes 2.13 A software has been designed, developed and implemented for sending birthday wishes to the employees of NHRC through SMS and e-mail. Foundation Day Celebration 2.14 The Foundation Day of the Commission is being celebrated by the Commission on 12th October each year. In 2017, also it was celebrated at Dr. D.S. Kothari Auditorium, DRDO Bhawan, Rajaji Marg, New Delhi. Justice Shri Dipak Misra, Hon'ble Chief Justice of India, was the Chief Guest on the occasion. Observance of Human Rights Day 2.15 Human Rights Day is being celebrated by the Commission on 10th of December every year.

## **Chapter 16: The Border Security Force (BSF)**

The Organization is India's border guarding organisation on its border with Pakistan and Bangladesh. It is one of the seven Central Armed Police Forces (CAPF) of India, and was raised in the wake of the 1965 war on 1 December 1965, "for ensuring the security of the borders of India and for matters connected there with".

It has various active roles during an outbreak of war. It is the only CAPF to have a Water Wing, Air Wing and an Artillery Regiment. It comes under the Ministry of Home Affairs. The BSF has its own cadre of officers but its head, designated as a Director-General (DG), since its raising has been an officer from the Indian Police Service. The BSF has grown exponentially from 25 battalions in 1965, to 192 battalions with a sanctioned strength of 270,363 personnel including an expanding Air wing, Marine

wing, an artillery regiment, and specialized units.<sup>[7][8]</sup> It currently stands as the world's largest border guarding force. BSF has been termed as the *First Line of Defence* of Indian territories.

## **Chapter 17: History of BSF**

Since independence, the protection of India's international boundaries was the responsibility of local police belonging to each border state, with little inter-state coordination.<sup>[10]</sup> However, during the Indo-Pakistani War of 1965, Pakistan attacked Sardar Post, Chhar Bet, and Beria Bet on 9 April 1965 in Kutch. This attack exposed the inadequacy of the State Armed Police to cope with armed aggression. So after the end of the war, the government created the Border Security Force as a unified central agency with the specific mandate of guarding India's international boundaries. This act brought greater cohesion in border security. K F Rustamji, from the Indian Police Service, was the first Director General of BSF. Since it was a new force, the officers had to be deputed or inducted from outside to fill the various vacancies at various levels until the force's own cadre matures sufficiently. Keeping in mind the above, emergency commissioned officers and SS officers of the Indian Army were inducted in large numbers in the force along with IPS officers who were deputed to the force for high level appointments.

The BSF's capabilities were used in the Indo-Pakistani War of 1971 against Pakistani forces in areas where the Regular Forces were thinly spread; BSF troops took part in several operations including the famous Battle of Longewala. In fact, for BSF the war on eastern front had started well before the war actually broke out in December 1971. BSF had trained, supported and formed part of Mukti Bahini and had entered erstwhile East Pakistan before the actual hostilities broke out. BSF had played a very important role in Liberation of Bangladesh which Indira Gandhi and Sheikh Mujibur Rehman had also acknowledged.

## **Chapter 18: The Indo-Pakistani War of 1971**

The war was a military confrontation between India and Pakistan that occurred during the Bangladesh Liberation War in East Pakistan from 3 December 1971 to the fall of Dacca (Dhaka) on 16 December 1971. The war began with Operation Chengiz Khan's preemptive aerial strikes on 11 Indian air stations, which led to the commencement of hostilities with Pakistan and Indian entry into the war for independence in East Pakistan on the side of Bengali nationalist forces, expanding the existing conflict with Indian and Pakistani forces engaging on both eastern and western fronts.<sup>[42]</sup> 13 days after the war started, India



achieved a clear upper hand, the Eastern Command of the Pakistan military signed the instrument of surrender on 16 December 1971 in Dhaka, marking the formation of East Pakistan as the new nation of Bangladesh. Approximately 93,000 Pakistani servicemen were taken prisoner by the Indian Army, which included 79,676 to 81,000 uniformed personnel of the Pakistan Armed Forces, including some Bengali soldiers who had remained loyal to Pakistan. The remaining 10,324 to 12,500 prisoners were civilians, either family members of the military personnel or collaborators (Razakars).

It is estimated that members of the Pakistani military and supporting pro-Pakistani Islamist militias killed between 300,000 and 3,000,000 civilians in Bangladesh. As a result of the conflict, a further eight to ten million people fled the country to seek refuge in India.

During the 1971 Bangladesh war for independence, members of the Pakistani military and supporting pro-Pakistani Islamist militias called the Razakars raped between 200,000 and 400,000 Bangladeshi women and girls in a systematic campaign of genocidal rape.

## **Chapter 19: The Kargil War**

The war also known as the **Kargil conflict**, was an armed conflict fought between India and Pakistan from May to July 1999 in the Kargil district of Jammu and Kashmir and elsewhere along the Line of Control (LoC). In India, the conflict is also referred to as **Operation Vijay**, which was the name of the Indian military operation to clear out the Kargil sector. The Indian Air Force's role in acting jointly with Indian Army ground troops during the war was aimed at flushing out regular and irregular troops of the Pakistan Army from vacated Indian positions along the LoC. This particular operation was given the codename Operation Safed Sagar.

The cause of the war was the infiltration of Pakistani troops—disguised as Kashmiri militants—into positions on the Indian side of the LoC, which serves as the *de facto* border between the two states in Kashmir. During the initial stages of the war, Pakistan blamed the fighting entirely on independent Kashmiri insurgents, but documents left behind by casualties and later statements by Pakistan's Prime Minister and Chief of Army Staff showed the involvement of Pakistani paramilitary forces,<sup>[22][23][24]</sup> led by General Ashraf Rashid. The Indian Army, later supported by the Indian Air Force, recaptured a majority of the positions on the Indian side of the LoC. Facing international diplomatic opposition, Pakistani forces withdrew from the remaining Indian positions along the LoC.

The war is the most recent example of high-altitude warfare in mountainous terrain, and as such, posed significant logistical problems for the combating sides. It is also one of only two sole instances of direct, conventional warfare between nuclear states (i.e., those possessing nuclear weapons, the other one being the Sino-Soviet border conflict). India had conducted its first successful test in 1974; Pakistan, which had been developing its nuclear capability in secret since around the same time, conducted its first-known tests in 1998, just two weeks after a second series of tests by India.

## **Chapter 20: The Partition of Bengal**

The violent and vitriolic incident left a poorly demarcated international border between the states of India and Bangladesh (erstwhile East Pakistan). Ownership of several villages on both sides of the *de facto* border were disputed and claimed by both countries. The dispute over the demarcation of the India–Bangladesh border worsened due to the existence of over 190 enclaves.

One of the disputed areas was a small sliver of land near the village of Padua (also known as Pyrdivah), on the border between Bangladesh and the Indian state of Meghalaya, which was used by Indian security forces during the 1971 Bangladesh Liberation War to train ethnic Bengali guerrillas known as the Mukti Bahini, who were fighting the Pakistan Army and pro-Pakistan loyalist militias. Following its independence, Bangladesh staked its claim to the area in which India's Border Security Force (BSF) had established a post in since 1971. The village is one of the Indian exclaves on the border between Bangladesh and Meghalaya. There are 111 Indian enclaves in Bangladeshi-claimed territory and 50 Bangladeshi enclaves in Indian-claimed territory. Padua village is an adverse possession—a village inhabited by Indians that is legally owned by Bangladesh (until the border agreement is ratified and the populations exchanged). The people of this village are ethnic Khasis.

In an interview published much later, the then-director of the Bangladesh Rifles (BDR), Major-General Fazlur Rahman, who was later dismissed from service by the rival government following an election, claimed that the Indian BSF had begun to construct a linking road between their camp in Padua and another camp 10 km (6.2 mi) away through no man's land and Bangladeshi territory.

The fighting that took place during these clashes was the worst since Bangladesh's war with Pakistan in 1971. It took place around the village of Padua in the Indian state of Meghalaya which adjoins the Tamabil area of the Bangladeshi border in the Sylhet district. Although an effective *status quo* had been maintained in this area, around 6.5 km (4.0 mi) of the border had been disputed for the past 30 years.

On 16 April 2001, a force of around 1000 Bangladeshi soldiers attacked and captured Padua village, breaking the status quo and forcing the civilians there to flee. Bangladesh claimed that the village had been illegally occupied by India since Bangladesh's war of independence in 1971.

The Indian Border Security Force (BSF) post in Padua village was surrounded, trapping several BSF troops within. However, both sides held their fire and began negotiations. Over the course of the following days, about three BSF companies proceeded to reinforce the outpost. This incident was resolved later without any bloodshed.

Following this standoff, BSF troops along the Indian–Bangladeshi border were put on high alert and ordered to begin intensive patrolling.<sup>[2]</sup> A few days later, a small contingent of BSF troops entered Bangladeshi territory near the village of Boroibari, more than 200 km (120 mi) to the west of Padua. Unlike the latter village, which is an adverse possession, Boroibari is an area lying across a fence well inside Bangladesh. The intrusion was used as a "counter-attack" by India to retaliate after the earlier incident in Padua.

According to Bangladeshi sources, Indian forces launched an early-morning attack on their posts in the frontier district of Kurigram, which lies on the border with the Indian state of Assam. Immediately upon entering Bangladeshi territory the 16 Indian paramilitary personnel were ambushed and killed by Bangladeshi soldiers, who were assisted by hundreds of villagers. Following their capture, the Indian soldiers were allegedly tortured by Bangladeshi security forces before being executed. General Gurbachan Jagat of the Indian BSF claimed that the returned bodies showed signs of serious mutilation, including strangulation, broken bones, as well as evidence of charring and scalding.

Around midnight, the Foreign Secretary of India, Chokila Iyer, received a call from her Bangladeshi counterpart, Syed Muazzem Ali, saying that orders had been issued to restore the status quo as well as for an immediate Bangladeshi withdrawal from Padua. The Bangladesh Rifles (BDR) withdrew from Padua by the night of 19 April.

In the confrontation, 16 Indian border guards were killed while two suffered injuries. The attack also left three Bangladeshi border guards dead and another five wounded. About 10,000 civilians fled the area after some 24 were wounded in the cross-border clashes.

After the Boroibari intrusion on 18 April, India alleged that the BDR started firing 3-inch and 8-inch mortar shells on Mancachar village, which is another disputed Indian enclave.

## **Chapter 21: The India Pakistan War and Internal Security**

The **2016–2018 India–Pakistan border skirmishes** were a series of armed clashes between India and Pakistan, mostly consisting of heavy exchanges of gunfire between Indian and Pakistani forces across the *de facto* border, known as the Line of Control (LoC), between the two states in the disputed region of Kashmir. The skirmishes began after India claimed to have conducted surgical strikes against militant launch pads within the Pakistani-administered territory of Azad Jammu and Kashmir on 29 September 2016.

Pakistan rejected the reports that any deep strike had taken place, stating that Indian forces had only engaged in a gunfight with Pakistani troops at the LoC without crossing over into Pakistani territory, an engagement that reportedly resulted in the deaths of two Pakistani soldiers and the wounding of nine. Pakistan also rejected India's claims that there had been additional casualties. Following this, Pakistani sources reported that in the 29 September skirmish, at least eight Indian soldiers were killed while one was captured by the Pakistan Army.

India subsequently confirmed that one of its soldiers was in Pakistani custody, but denied that the mentioned gunfight was linked to the surgical strike incident or that any of its soldiers had been killed in the hostilities.

The Indian operation was said to be in retaliation for a militant attack on an Indian Army base in Uri, in the Indian-administered state of Jammu and Kashmir, that left 19 Indian Army soldiers dead on 18 September 2016. Over the course of the next 20 months, India and Pakistan continued to regularly exchange fire across the LoC in Kashmir, resulting in dozens of military and civilian casualties on both sides.

## **Chapter 22: The Insurgency in Punjab**

The **Insurgency in Punjab**, from the mid-1980s to the mid-1990s, was an armed campaign by the Sikh militant nationalist Khalistan movement. In the 1980s, the movement had evolved into a secessionist movement after the perceived indifference of the Indian state in regards to mutual negotiations. The Green Revolution brought several social and economic changes which, along with factionalism of the politics, in the Punjab state increased tension between rural Sikhs in Punjab with the union Government of India. Pakistani strategists then began supporting the militant dimension of the Khalistan movement.

In the 1972 Punjab state elections, Congress won and Akali Dal was defeated. In 1973, Akali Dal put forward the Anandpur Sahib Resolution to demand more autonomic powers to the state of Punjab. The Congress government considered the resolution a secessionist document and rejected it. Jarnail Singh Bhindranwale then joined the Akali Dal to launch the Dharam Yudh Morcha in 1982, to implement Anandpur Sahib resolution. Bhindranwale had risen to prominence in the Sikh political circle with his policy of getting the Anandpur Resolution passed, failing which he wanted to declare a semi-autonomous, federal region of Punjab as a homeland for Sikhs.

Bhindranwale was credited by the government with launching Sikh militancy in Punjab. Under Bhindranwale, the number of people initiating into the Khalsa increased. He also increased the awareness amongst the populace about the ongoing assault on Sikh values by politicians, alleging their intentions to influence Sikhism and eradicate its individuality by conflating it with Pan-Indian Hinduism. Bhindranwale and his followers started carrying firearms at all times for self defense. In 1983, he along with his militant followers occupied and fortified Akal Takht. While critics claimed that he entered it to escape arrest in 1983, there was no arrest warrant issued in his name, and he was regularly found giving interviews to the press in and outside the Akal Takht. He made the Sikh religious building his headquarters and led a campaign for autonomy in Punjab with the strong backing of Major General Shabeg Singh. They then took refuge in the Akal Takht as the extrajudicial violence against Sikhs increased in the months before Operation Bluestar.

On the 1st of June 1984, Operation Blue Star was launched to remove him and the armed militants from the Golden Temple complex. On 6 June, on Guru Arjan Dev Martyrdom Day, Bhindranwale was killed by the Indian military in the operation. The operation carried out in the Gurudwara caused outrage among the Sikhs and increased the support for Khalistan Movement. Four months after the operation, on 31 October 1984, Prime Minister of India, Indira Gandhi was assassinated in vengeance by her two bodyguards, Satwant Singh and Beant Singh. Public outcry over Gandhi's death led to the slaughter of Sikhs in the ensuing 1984 Sikh Massacre.

These events played a major role in the violence by Sikh militant groups supported by Pakistan and consumed Punjab until the early 1990s when the Khalistan movement eventually slowed down.

In the mid-1990s, the insurgency petered out, and the Khalistan movement failed to reach its objective due to multiple reasons including a heavy police crackdown on civilians and militants, factional infighting, and loss of public support, with the militancy brought under the control of law enforcement agencies by 1993.

## **Chapter 23: Constitution Of The Force And Conditions Of Service Of The Members Of The Force**

- (1) There shall be an armed force of the Union called the Border Security Force for ensuring the security of the borders of India. (2) Subject to the provisions of this Act, the Force shall be constituted in such manner as may be prescribed and the conditions of service of the members of the Force shall be such as may be prescribed. 5. (1) The general superintendence, direction and control of the Force shall vest in, and be exercised by, the Central Government and subject thereto and to the provisions of this Act and the rules, the command and supervision of the Force shall vest in an officer to be appointed by the Central Government as the Director-General of the force. (2) The Director-General shall, in the discharge of his duties under this Act, be assisted by such number of Inspectors-General, Deputy Inspectors-General, Commandants and other officers as may be appointed by the Central Government. 6. (1) The persons to be enrolled to the Force, the mode of enrolment, and the procedure for enrolment shall be such as may be prescribed by the Central Government. (2) Notwithstanding anything contained in this Act and the rules, every person who has, for a continuous period of three months, been in receipt of pay as a person enrolled under this Act and borne on the rolls of the Force shall be deemed to have been duly enrolled. 7. Every member of the Force shall be liable to serve in any part of India as well as outside India. Constitution of the Force. Control, direction etc. Enrolment. Liability for service outside India. BSF ACT 7 8. No member of the Force shall be at liberty,- (a) to resign his appointment during the term of his engagement; or (b) to withdraw himself from all or any of the duties of his appointment, except with the previous permission in writing of the prescribed authority. 9. Every person subject to this Act shall hold office during the pleasure of the President. 10. Subject to the provisions of this Act and the rules, the Central Government may dismiss or remove from the service any person subject to this Act. 11. (1) The Director-General or any Inspector General may dismiss or remove from the service or reduce to a lower grade or rank or the ranks any person subject to this Act other than an officer. (2) An officer not below the rank of Deputy Inspector General or any prescribed officer may dismiss or remove from the service any person under his command other than an officer or a subordinate officer of such rank or ranks as may be prescribed. (3) Any such officer as is mentioned in subsection (2) may reduce to a lower grade or rank or the ranks any person under his command except an officer or a subordinate officer. (4) The exercise of any power under this section shall be subject to the provisions of this Act and the rules. 12. A subordinate officer, or an under-officer or other enrolled person who is retired, discharged, released,

removed or dismissed from the service shall be furnished by the officer, to whose command he is subject, with a certificate in the Resignation and withdrawal from the post. Tenure of service under the Act. Termination of service by Central Government Dismissal, removal or reduction by the Director General and by other officers. Certificate of termination of service. 8 BSF ACT language which is the mother tongue of such person and also in Hindi or English language setting forth- (a) the authority terminating his service; (b) the cause for such termination; and (c) the full period of his service in the Force. 13. (1) No person subject to this Act shall, without the previous sanction in writing of the Central Government or of the prescribed authority,- (a) be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations; or (b) be a member of, or be associated in any way with, any society, institution, association or organisation that is not recognised as part of the Force or is not of a purely social, recreational or religious nature; or (c) communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the bonafide discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature. Explanation:-If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (b) of this sub-section, the decision of the Central Government thereon shall be final. (2) No person subject to this Act shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed. Restrictions respecting right to form association, freedom of speech, etc.

## **Chapter 24: BSF ACT 9 CHAPTER-III OFFENCES**

Any person subject to this Act who commits any of the following offences, that is to say:- (a) shamefully abandons or delivers up any post, place or guard, committed to his charge or which it is his duty to defend; or (b) intentionally uses any means to compel or induce any person subject to this Act or to military, naval or air force law to abstain from acting against the enemy or to discourage such person from acting against the enemy; or (c) in the presence of the enemy, shamefully casts away his arms, ammunition, tools or equipment or misbehaves in such manner as to show cowardice; or (d) treacherously holds correspondence with or communicates intelligence to, the enemy or any person in arms against the Union; or (e) directly or indirectly assists the enemy with money, arms, ammunition, stores or supplies or in any other manner

whatsoever; or (f) in time of active operation against the enemy, intentionally occasions a false alarm in action, camp, quarters, or spreads or causes to be spread reports calculated to create alarm or despondency;

## Chapter 25: NDRF

The **National Disaster Response Force (NDRF)** is an Indian specialized force constituted "for the purpose of special response to a threatening disaster situation or disaster" under the Disaster Management Act, 2005.<sup>[2]</sup> The "Apex Body for Disaster Management" in India is the National Disaster Management Authority (NDMA). The Chairman of the NDMA is the Prime Minister. The responsibility of managing disasters in India is that of the State Government. The 'Nodal Ministry' in the central government for management of natural disasters is the Ministry of Home Affairs (MHA).

When 'calamities of severe nature' occur, the Central Government is responsible for providing aid and assistance to the affected state, including deploying, at the State's request, of Armed Forces, Central Paramilitary Forces, National Disaster Response Force (NDRF), and such communication, air and other assets, as are available and needed.

National Disaster Response Force (NDRF) is under the National Disaster Management Authority. The head of the NDRF is designated as Director General. The Director Generals of NDRF are IPS officers on deputation from Indian police organizations. Director General is a three-star officer.

The NDRF is a top-heavy organization which in addition to the Director General has several Inspector Generals (IG) and Deputy IGs, who are flag officers and wear badges of rank.

## Chapter 26: ITBP

The **Indo-Tibetan Border Police (ITBP)** is India's primary border patrol organization for its border with Tibet Autonomous Region. It is one of the seven Central Armed Police Forces of India, raised on 24 October 1962, under the CRPF Act, in the wake of the Sino-Indian War of 1962.

<b>Politics of India</b>




In September 1996, the Parliament of India enacted the "Indo-Tibetan Border Police Force Act, 1992" to "provide for the constitution and regulation" of the ITBP "for ensuring the security of the borders of India and for matters connected therewith".<sup>[4][5]</sup> The first head of the ITBP, designated Inspector General, was Balbir Singh, a police officer previously belonging to the Intelligence Bureau. The ITBP, which started with 4 battalions, has, since restructuring in 1978, undergone expansion to a force of 60 Battalions with 15 Sectors and 05 Frontiers as of 2018<sup>[6]</sup> with a sanctioned strength of 89,432.<sup>[7]</sup>



***Sharpshooter team of North West Frontier ITBP Leh, Ladakh during a training session.***

The ITBP is trained in the Civil Medical Camp, disaster management, and nuclear, biological and chemical disasters. ITBP personnel have been deployed abroad in UN peacekeeping missions in Bosnia and Herzegovina, Kosovo, Sierra Leone, Haiti, Western Sahara, Sudan, Afghanistan, and elsewhere. Two battalions of ITBP are deputed to National Disaster Response Force

## **Chapter 27: Command Control superstructure**

ITBP, for the first two decades since its raising in 1962, until 1983, was headed by Inspector Generals of Police (IGs), all drawn from the IPS. In this period (1963–83), IGs had stable tenures, for instance B Chatterjee, IG, was head of the force from 02 to 06–1964 to 31-08-1974, and R N Sheopory, as IG, was head from 03 to 09–1974 to 22-12-1980. In 1983, the Indira Gandhi led Congress Government, upgraded ITBP head to Director General (DG). Since then, there has exponentially expansion of higher ranks, accompanied by volatility in the tenures of the head of ITBP. Instead of one IG as in 1983, ITBP now has 16 DG/IGs, and over 40 DIGs. The average tenure of DGs is about a year plus, and in some cases barely a few weeks, for instance B.B. Nandy, IPS, was DG (10-01-1997 to 03-04-1997), for just 28 weeks. Going by the trend of short tenures of DGs, it would appear that the Government is not overly concerned about command control, or in maintaining command continuity in the ITBP.<sup>[8]</sup> The post of DG was again upgraded by the Manmohan Singh led UPA Government in 2008.

More than a year after the central government sanctioned raising of two commands of ITBP, the commands are now operationalised. ITBP shall have two commands one each at Chandigarh and Guwahati head by a cadre officer of ADG rank. Manoj Rawat, presently IG with ITBP HQ has been entrusted with the responsibility of raising the ITBP's Western Command at Chandigarh.

## **Chapter 28: More About ITBP**

ITBP is a multi-dimensional force which primarily has 5 functions:

1. Vigil on the northern borders, detection and prevention of border violations, and promotion of the sense of security among the local populace.
2. Check illegal immigration and trans-border smuggling.
3. Provide security to sensitive installations and threatened VIPs
4. Restore and preserve order in any area in the event of a disturbance.
5. To maintain peace.

## **Chapter 29: And, ITBP.**

Presently, battalions of ITBP are deployed on border guard duties from Karakoram Pass in Ladakh to Diphu La in Arunachal Pradesh, covering 3,488 km of the India-China border. Manned border posts are at altitudes as high as 21,000 feet (6,400 m) in the western, middle & eastern sector of the border. ITBP is a mountain trained force and most of the officers & men are professionally trained mountaineers and skiers. The force is under an expansion plan in order to provide relief to its troops from constant deployment in high altitude areas under the dynamic and professional leadership of Subhash Goswami, IPS.

## **Chapter 30: Structure of ITBP**

The border posts manned by ITBP are exposed to high velocity storms, snow blizzards, avalanches, and landslides, besides the hazards of high altitude and extreme cold, where the temperature dips up to minus 40-degree Celsius. ITBP conducts Long Range and Short Range patrols to keep an effective vigil on inaccessible and unmanned areas on the border.

## **Chapter 31: Structure 2**

The ITBP has recently taken on a disaster management role. Being the first responder for natural Disaster in Himalayas, ITBP was the first to establish 06 (now 08) Regional Response Centres in Himachal Pradesh, Uttarakhand and Northeast India and carried out numerous rescue and relief operations in various disaster situations, which took place in our areas of responsibility as well as other parts of the country. ITBP has already trained 1032 personnel in Disaster Management including 98 personnel in Radiological and Chemical and Biological emergencies.

## **Chapter 32: Structure 3**

- TBP has established a National Centre for Training in Search, Rescue & Disaster response at Bhanu, Haryana which is imparting training to personnel of ITBP and other Paramilitary / State Police Forces. There is also a training centre for the Dogs at Basic Training centre situated at Bhanu. The centre is known as NICD.

- ITBP Commando units provide security to the Embassy and consulates of India in Afghanistan. Besides this two Companies of the ITBP are providing security in Afghanistan.
- One company of ITBP is deployed in United Nation Mission in Congo since November 2005. A National Centre for UNCIVPOL training has been set up at ITBP Camp, Tigri, Khanpur, Delhi for providing systematic training to Indian Police Officers for deployment in UN Mission.
- ITBP is also providing security to the pilgrims during Annual Kailash Mansarovar Yatra from 1981. ITBP provides communication, security and medical cover to the yatries from Gunji to Lipulekh Pass and back to Gunji in co-ordination with MEA and Kumaon Mandal Vikas Nigam.
- ITBP had provided Quarantine camp at Chhawala in New Delhi for the suspected persons during the COVID-19 pandemic who were evacuated from Wuhan. It had also set up camps at its other locations in the country for further quarantine.

### **Chapter 33**

- TBP has established a National Centre for Training in Search, Rescue & Disaster response at Bhanu, Haryana which is imparting training to personnel of ITBP and other Paramilitary / State Police Forces. There is also a training centre for the Dogs at Basic Training centre situated at Bhanu. The centre is known as NICD.
- ITBP Commando units provide security to the Embassy and consulates of India in Afghanistan. Besides this two Companies of the ITBP are providing security in Afghanistan.
- One company of ITBP is deployed in United Nation Mission in Congo since November 2005. A National Centre for UNCIVPOL training has been set up at ITBP Camp, Tigri, Khanpur, Delhi for providing systematic training to Indian Police Officers for deployment in UN Mission.
- ITBP is also providing security to the pilgrims during Annual Kailash Mansarovar Yatra from 1981. ITBP provides communication, security and medical cover to the yatries from Gunji to Lipulekh Pass and back to Gunji in co-ordination with MEA and Kumaon Mandal Vikas Nigam.
- ITBP had provided Quarantine camp at Chhawala in New Delhi for the suspected persons during the COVID-19 pandemic who were evacuated from Wuhan. It had also set up camps at its other locations in the country for further quarantine.

## **Chapter 34: More About ITBP**

The ITBP is also credited to run the world's largest Sardar Patel Covid Care Centre SPCCC, Radha Soami Beas, Chhatarpur, New Delhi when it treated corona patients during the 1st, 2nd and 3rd waves of deadly corona virus at the National Capital.



Chitkul Village, as seen from the road to the ITBP checkpoint

## **Chapter 35: Trg at ITBP**

ITBP's major training centre is located at Mussoorie, in Uttarakhand. The Training Academy has been established in 1976 and imparts training to Officers of the force. The training programme to Subordinate Officers of the force are conducted at Central Training College Alwar and Basic Training College, Bhanu (Haryana). Specialised training programmes in rock craft, explosives handling etc. are also conducted here. Ace mountaineer and Padma Shri awardee, Harbhajan Singh, IG heads this institution. Keeping in view the evolving security scenario of the country, ITBP established a Counter Insurgency and Jungle Warfare (CIJW) School at an altitude of 6,000 feet in the heart of extremely tough Himalayan mountains, at Mahidanda in Uttarkashi district. The CIJW school (NOT the same as the premier CIJWS of the Indian Army) provides training to ITBP's men and officers in anti-Naxal Operations. Jungle warfare, handling of explosives, rock craft, survival in adverse conditions, unarmed combat, and guerrilla warfare are some of the subjects trained here. On account of demands to realistic Anti naxal training the CIJW School of ITBP was shifted to Belgaum Karnataka

## **Chapter 36: Further Trg at ITBP**

The training regime, formulated under the close supervision of Rajiv Mehta, IPS and executed on the ground by Sanjeev Raina, DIG is extremely demanding both mentally and physically, needing special preparation. The presence of the force along the Indo China border where it maintains vigil along the extremely difficult high altitude border area. The troops of the force keep a sharp eye on any violation of the border, trans-border smuggling, and affords a sense of security to the remotely located isolated settlements. The altitude where the troops are deployed range up to 18,800 feet and the temperature plummets to minus 30 degrees during winter with snowfall of more than ten feet.

## **Chapter 37**

The force is synonymous with adventure and dare-devilry and has undertaken numerous mountaineering expeditions. Its skiers have been national champions, who have competed winter Olympics. Its river rafters have created international history in rafting through the turbulent white waters of the mighty Brahmaputra, the Indus and the Ganges. The Force has created a milestone by becoming the first Central Para Military Force to grab up the Best Marching Contingent Trophy in the Republic Day parades in 1998, 1999, 2000 and 2011. It broke new ground in 1998 when it sent the first-ever police tableau of the country to participate in the Republic Day Parade. ITBP is at the forefront of a movement for the preservation of Himalayan environment and ecology. ITBP has taken up in a big way the task of greening the Himalayan regions especially in Inner Himalayas. Being the only human presence in areas close to China border, it has taken on itself the task of maintaining the delicate balance of flora and fauna.

## **Chapter 38: Why India Needs a singular Border Security Entity?**

For the last few years, along with usurping its neighbours' territories, starting with Doklam and followed by the Galwan crisis, China has escalated armed activities resulting in enhanced cross-border infiltration and armed intrusions. Similarly, the continued Pakistan-backed infiltration of terrorists poses fresh challenges to India.

Two recent developments initiated by China have made our borders more vulnerable. China's Land Border Law (LBL) will enhance Beijing's aggressive posture and is aimed at resolving border disputes on its terms. Equally alarming is the move to build 628 "Xiaokang model border defence villages" along the 3,488 km Line of Actual Control (LAC), which is conceived as a tactic to consolidate Chinese claims over disputed areas and garner local support. Additionally, these villages are capable of acting as forward

assembly and administrative areas during hostilities. Two villages have already come up in the disputed area across Arunachal Pradesh.

### **Chapter 39: Border Security Management**

These developments warrant a comprehensive review of border management to ensure the all-weather security of our borders.

India shares land borders with Pakistan, China, Nepal, Bhutan, Bangladesh and Myanmar, which stretch approximately 15,106 km. In addition, we have an approximately 3,323 km-long LoC with Pakistan, which further extends to the rechristened 110 km stretch of “Actual Ground Position Line” (AGPL) dividing the Siachen glacier region. Further east, we have the 3,488 km LAC with China. We share maritime boundaries with Sri Lanka, Maldives, Bangladesh, Pakistan, Myanmar and Indonesia; we have a 7,683 km coastline and an approximately 2 million sq km exclusive economic zone (EEZ).

### **Chapter 40: Other Border Security Agencies**

This makes India’s task more complex than most other countries. This complexity is accentuated by the fact that along with the army, we have multiple other security agencies — the Central Armed Police Force (CAPF) and the Paramilitary Forces (PMF) — sharing the responsibility. While the army is deployed along the LoC and AGPL, the Border Security Force (BSF) looks after the international border with Pakistan and Bangladesh. Guarding the LAC has been assigned to the Indo-Tibetan Border Police (ITBP) and Assam Rifles. The Sashastra Seema Bal (SSB) is responsible for guarding the borders with Nepal and Bhutan. The Assam Rifles looks after our border with Myanmar. In a nutshell, in addition to the army, we have four agencies guarding borders with six neighbours. Conversely, maritime borders are guarded by a single agency — the Coast Guard.

### **Chapter 41: International and Regional scenario of Border Security**

Most countries have raised specialised and dedicated armed bodies for border security. For example, Iran has the Border Guard Command, Italy has the Border Police Service, Russia has created a Border Guard Service, whereas in the US, it is under Homeland Security. Closer home, in China, it is the People’s Armed Police, while Pakistan has a Frontier Corps for its western border and the Rangers looking after the Indo-Pak Border. Most of these countries, based on threat perception and for better combat cohesion, have placed these organisations under the command of the armed forces.

## **Chapter 42: The Indian Scenario of Border Security**

India, we have unwieldy arrangements. As a result, there is a lack of a coherent policy on training, planning and the conduct of guarding operations among various outfits. Overall coordination is also affected. Going by the instances along the western border, our adversary has often escalated violations by resorting to the prolonged use of military resources. Similarly, their modus operandi has also undergone a qualitative change whereby they have buttressed border security by co-opting military battle drills and sub-unit tactics such as sniping, launching raids and ambushes on the Loc/international border by deploying regular troops. Chinese provocations along the LAC are military operations. Clearly, the peace-time scenario is now by and large militarised.

## **Chapter 43: More About Border Security**

In this scenario, India needs a single security agency adequately equipped, suitably armed and trained in advanced military drills and sub-unit tactics to guard our borders. The manpower and infrastructure should be created by pooling and merging the resources of the CAPF and Assam Rifles. Further, to augment the battle efficiency, a fixed percentage of manpower, including the officer cadre, should be drawn on deputation from the army. The proposed outfit, let's call it the National Border Guard, (NBG), should have the explicit mandate to effectively retaliate against cross-border transgressions and stabilise the situation till the operations are taken over by the armed forces.

## **Chapter 44: Trg in Border Security**

To ensure the desired training and operational standards, the NBG should be designated as a paramilitary force under the Ministry of Defence and operate under the army. Finally, a collateral spin-off — an opportunity to prune the bulky CAPF into a cohesive, lean and efficient force. The ITBP and the SSB should be fully merged into the new outfit; the BSF and CRPF still have important internal security duties and can be partially merged. The reorganised Assam Rifles too should retain its role of conducting counter-insurgency operations and act as a reserve for the army for conventional operations.

## **Chapter 45: Management of the Borders**

We can attempt to provide a comprehensive understanding of the circumstances which have shaped India's approach towards its international borders and the framework it has developed to better manage its borders. The book argues that persistence of various cross-border threats and challenges and an absence of robust intra-regional trade among its neighbouring countries forced India to



employ a security-centric and unilateral approach to border management with emphasis on hardening the borders to cross-border trade and travel and keeping the border areas underdeveloped to act as a buffer against external conventional threats. However, as India's economy grew and the country gained more confidence and resources, India started perceiving the borders as bridges rather than barriers. Consequently, greater emphasis was being laid on development of border areas and restoring severed lines of communication with its neighbours through increased investments in building transportation networks both within the border as well as beyond. It also started constructively engaging its neighbours to effectively manage its international borders. Besides discussing the threats and challenges that India faces along the borders, the book aims to develop an understanding of India's border management practices by analysing various programmes and initiatives such as the raising of border guarding forces; building of physical and electronic fences; the establishment of modern facilities for smoothening legitimate cross-border travel; the development of the border areas through special programmes; and increasing trade and connectivity as well as other cooperative bilateral mechanisms.

#### **Chapter 46: The Conditionality of Jammu and Kashmir**

The state of Jammu and Kashmir (J&K) was the scene of a full-blown insurgency in the 1990s. The situation started to improve gradually by the end of that decade and rapidly thereafter, with the initiation of peace talks between India and Pakistan and conduct of dialogue between the Government of India and stakeholders from Kashmir in the early 2000s. Incidents of violence dropped and voter turnout in elections increased significantly. But, as the peace process petered out, disturbances started to build up again. In 2016, there was a complete breakdown of law and order post the killing of Burhan Wani.

The volatile security scenario in J&K is a manifestation of Pakistan's proxy war with India, combined with the unsettled political issues of the state. Though successful initially, Pakistan eventually lost the majority support of the people of the valley as its double standards lay exposed. Kashmir looked for peace, but with the breakdown in the peace process between India and Pakistan, and with the fate of Kashmir tied to it, a lasting normalcy remained elusive. The only way forward for India, therefore, is to decouple the Kashmir issue from that of Pakistan, and address the internal aspects: Kashmir's development, unsettled political issues, healing the wounds and alienation of the youth, promptly. It must be remembered that a strong and stable J&K is an anti-traction thesis for Pakistan and the biggest tribute to the pluralist Indian society and its flourishing democracy.

## **Chapter 47: The American and Indian Counter Insurgency Approaches**

his monograph is an attempt to examine American and Indian counterinsurgency experiences through the lens of historical context, organizational culture, and military capability. American and Indian approaches to counterinsurgency developed in sharply divergent historical contexts which shaped, to a large extent, political and military preferences on decisions to use force, significantly influencing the outcome of operations. This study is relevant to assess the future trajectory of US and Indian counterinsurgency operations. The monograph works like a primer, outlining some of the pressing questions and controversial debates that will continue to shape the counterinsurgency approaches of both countries.

## **Chapter 48: Challenges to Internal Security**

One of the gravest challenges facing us is the weakening of the federal structure. This is not a development which has taken place overnight, but the process has now snowballed and is visible to all. In recent years, the Centre has abrogated to itself many of the financial powers of the states and in other matters also, like agriculture. Ever since the implementation of GST, the states (especially those ruled by Opposition parties) have lost a large part of their financial independence and are dependent on the Centre for even their dues, forget any largesse. According to a written statement in Parliament in February, a massive Rs2 lakh crore in GST dues was owed by the Centre to the states by November 2020. As per media reports, Maharashtra is owed almost Rs30,000 crore, Bengal claims Rs77,000 crore. The economists and accountants amongst us might want to comment on this sovereign default. Furthermore, the states were forced to borrow funds to meet their dues, thereby increasing their debt load and keeping the Centre's books cleaner. The financial crunch facing the states is such that they cannot carry on normal development activities without the help of the Centre. In emergencies like floods, droughts, earthquakes, etc, they are utterly helpless and dependent upon the Centre. The Centre follows a carrot and stick policy, which leads to further increase in tensions that exist. This is also a part of the weakening of the federal structure, with the states left holding the bag. This will lead to antagonism and alienation.

## **Chapter 49: Law and Internal Security**

The weakening of the federal structure can further be seen in the enactment of laws regarding agriculture, which is a state subject. This has led to one of the biggest and longest agitations in recent history. Farmers across the length and breadth of the country have come together in a face-off with not only the Government

of India, but also the mighty industrial honchos whom they suspect to be behind these laws. We are entering uncharted territory with these new laws, where large sections of the peasantry are being alienated. This has led to tensions between urban and rural India and does not augur well for our security. Added to this is the fact that most of our officers and men in the police, paramilitary forces and armed forces come from rural areas and are sons of farmers. They form the backbone of our security forces. The role played by some sections of the media in heightening this divide is highly biased and suspect. Foreign agencies will not be sleeping on these new self-made fissures and will use people both inside and outside the country to create further problems. Evidently, large funds have already been sent by dubious organisations — this will all add fuel to the existing discontent. Many parts of the country have been embroiled in internal conflicts (Kashmir, Punjab, Assam, Manipur, Nagaland are all a case in point), are we not again amplifying the voices of dissent and alienating sections of our society?

### **Chapter 50: Is it Communalism?**

The next serious threat is the open proliferation of communalism in most parts of the country. It was always present below the surface and used as vote banks during elections. There were periodic clashes between the two communities and rioting also took place. At some point, the strong criminal underground owing allegiance to both the communities started playing a major part in the clashes. This was witnessed in the Bombay riots, as also in other states. Recent developments have pushed secularism further into the background and differences have begun to surface more openly and a sharp polarisation is taking place. Issues like CAA and NRC have increased the polarisation of society and further heightened the insecurities of the minority communities. The minorities fear that their Indian citizenship itself is in danger and that it may lead to large-scale disenfranchising of a community. These laws are still hanging fire and when acted upon have the potential to aggravate the security situation. Added to these have been other incidences to keep the pot boiling regarding suspect cow slaughter and ‘love jihad’ laws, which again target Muslim youth. Laws have been enacted in BJP-led states and cases are being registered and the accused arrested.

### **Chapter 51: Communities in Internal Security**

This total polarisation of communities is not a good thing for our internal and external security. The minorities are in sizable numbers and if misled, can pose a threat to our internal security. Unlike Pakistan, Myanmar or Afghanistan, who have primarily chosen the path of repression against minorities, we had so far walked the path of secularism and tolerance. This has been our strength not only by creating a vibrant democracy and a growing economy, but also globally it gave us a voice in democratic forums. The foreign

media today is increasingly describing India as a state which no longer tolerates dissent and is bracketing us with countries which have throttled freedom.

### **Chapter 52: The Scenario in Ladakh**

In case of hostilities, we would have to look over our shoulders while facing the enemy. The recent occurrences in Ladakh are a case in point. We have had trouble at the LAC and LoC because China and Pakistan have never really accepted the border lines. Now some kind of temporary détente seems to have been worked out, but can we repose trust in it? Last year, the ceasefire violations were the highest in recent times. China has never accepted the unilateral change in the status of J&K after the abrogation of Article 370, and the resulting tension on the border has a direct correlation. The entire erstwhile state of J&K was under lockdown for a full year, hundreds of additional companies of PMFs have been deployed since then, crores have been lost in revenue. Politicians chest-thumping on Aksai Chin and PoK rarely have any personal stake in the battles which follow. Only a greenhorn would say that the Kashmir issue is dead. It reminds one more of the lull before the storm.

### **Chapter 53: The Non-Hard Power Concerns**

Unemployment and economic disparity are ever increasing. The disparity between the rich and poor is reaching mind-boggling levels. These are creating ripples in society across the board and we may soon be faced with a tsunami of protests creating further law and order situations. This inequality of income and unemployment levels are ticking time bombs perhaps posing a greater threat to our internal security than the enemies across the border. The Maoist and Naxalite movements have had large-scale consequences spread through numerous states — Chhattisgarh, Andhra Pradesh, Jharkhand, Karnataka and Maharashtra have all suffered extensively. The root of these movements lay in the perceived disparity and exploitation felt by the cadres who joined.

It would be in the national interest if we could settle some of these and reduce the tensions. The question is, do we choose the path of repression or reconciliation? We must remember that these are our people and our country. We have to make a choice, our leadership has to make a choice, for we stand at the crossroads of history. All my life, wherever I have gone in the country, the common man has wanted peace and education and health for his children. It is the leadership with its vested interests which advocates divisiveness and is an obstacle to peace. Take the people along on the path of development and secularism to form a united and secure India free from fissiparous digressions.

## **Chapter 54: Maoism in India**

Chinese (Pinyin) **Mao Zedong Sixiang** or (Wade-Giles romanization) **Mao Tse-tung Ssu-hsiang** (“**Mao Zedong Thought**”), doctrine composed of the ideology and methodology for revolution developed by Mao Zedong and his associates in the Chinese Communist Party from the 1920s until Mao’s death in 1976. Maoism has clearly represented a revolutionary method based on a distinct revolutionary outlook not necessarily dependent on a Chinese or Marxist-Leninist context.

The first political attitudes of Mao Zedong took shape against a background of profound crisis in China in the early 20th century. The country was weak and divided, and the major national problems were the reunification of China and the expulsion of foreign occupiers. The young Mao was a nationalist, and his sentiments had been strongly anti-Western and anti-imperialist even before he became attracted to Marxism-Leninism about 1919–20. Mao’s nationalism combined with a personal trait of combativeness to make him admire the martial spirit, which became a cornerstone of Maoism. Indeed, the army held an important position both in the process of creating the Chinese revolutionary state and in the process of nation building; Mao relied on army support in conflicts with his party in the 1950s and ’60s.

## **Chapter 55**

Anyone who has visited China would have seen that Mao Zedong has a larger-than-life posthumous presence there. It is difficult to escape him. His body lies embalmed in a huge mausoleum at one side of Tiananmen Square, which is also dominated by his portrait. But it is not just through symbols that Mao is omnipresent in China. His presence, as Julia Lovell notes, is more palpable “in the deep politicisation of its judiciary; the supremacy of the one-party state over all other interests; the fundamental intolerance of dissident voices”. Yet, present-day China has turned its back.

## **Chapter 56: Maoism: The Global Ideological Challenge**

In the first week of January 2016, a vast golden statue of Mao, rising up out of frozen brown fields, was unveiled in the middle of the Henan countryside in central China. More than 36 metres high, it cost £312,000 and was paid for by local people and businessmen. Tourists gathered to take selfies, but a few days later, the monument was demolished, apparently for violating planning regulations. Several locals wept as it came down, among them probably descendants of the multitudes – one analyst puts the figure at 7.8 million – who died in Henan during the famine in the 1960s caused by Mao’s policies.

The golden colossus of Henan evokes the strange, looming presence of Mao in contemporary China. The People’s Republic (PRC) today is still held together by the legacies of Maoism. Although the Chinese Communist party

(CCP) has long abandoned the utopian turmoil of the Cultural Revolution in favour of an authoritarian capitalism that prizes prosperity and stability, Mao has left a heavy mark on politics and society. His portrait – six by four and a half metres – hangs in Tiananmen Square, the heartland of Chinese political power, and in the middle of the square, his waxen, embalmed body lies in state. “Mao’s invisible hand” (as one recent book puts it) remains omnipresent in China’s polity: in the deep politicisation of its judiciary; the supremacy of the one-party state; the intolerance of dissident voices. And in 2012, the CCP under Xi Jinping began – for the first time since Mao’s death in 1976 – to publicly renormalise aspects of Maoist political culture: the personality cult; catchphrases such as the “mass line” (supposedly encouraging criticism of officials from the grassroots) and “rectification” (disciplining of wayward party members). At the end of February 2018, Xi and his Central Committee abolished the 1982 constitutional restriction that limited the president to only two consecutive terms; like Mao, he could be ruler for life.

The western commentariat has been wrong-footed by Mao’s resurgence. Many perhaps assumed that, as China turned commercial and capitalist since the death of Mao, the country would become “more like us”; that Mao and Chinese communism were history. The opposite has happened. Maoism is the key to understanding one of the most surprisingly enduring organisations of the 20th and (so far) 21st centuries – the CCP. If the party is still in charge in 2024, the Chinese communist revolution will have exceeded the 74-year lifespan of its Soviet older brother. And if the Chinese communist state survives much beyond this point, historians may come to see October 1949, rather than October 1917, as the game-changing revolution of the last century.

There is also a pressing need to evaluate the power and allure of Maoism beyond China; it has had a long afterlife in revolutions and insurrections (that have transformed states and left millions dead) in Cambodia, Zimbabwe, Peru, India and Nepal, based on Mao’s theories of class struggle and guerrilla warfare. The story of Maoism’s travels takes in the tea plantations of north India, the sierras of the Andes, Paris’s 5th arrondissement, the fields of Tanzania, rice paddies in Cambodia and terraces in Brixton. A potent mix of party-building discipline, anti-colonial rebellion and “continuous revolution” grafted on to the secular religion of Soviet Marxism, Maoism not only unlocks the contemporary history of China, but is also a pivotal influence on global insubordination and intolerance across the last 80 years.

But beyond China, and especially in the west, the spread and disruptive importance of Mao and his ideas are only dimly sensed, if at all. They have been effaced by the end of the cold war, the apparent global victory of neoliberal capitalism, and the resurgence of religious extremism. Especially since the communist collapse in Europe and the USSR, western governments have imagined that Maoism was a historical and political phenomenon long past its sell-by date; that there was no need to engage seriously with it, because it had been left in the dust by the supposed death of ideology in 1989. A fresh look at the cold war and global politics today tells a very different story: of Maoism as one of the most significant and complicated forces of contemporary history.

Maoism is a set of contradictory ideas that has distinguished itself from Soviet guises of Marxism in several important ways. Giving centre stage to a non-western, anti-colonial agenda, Mao declared to radicals in developing countries that Russian-style communism should be adapted to local, national conditions. Diverging from Stalin, he told revolutionaries to take their struggle out of the cities and to fight guerrilla wars deep in the countryside. He preached the doctrine of voluntarism: that by sheer audacity of belief the Chinese – and any other people with the necessary strength of will – could transform their country. Revolutionary zeal, not weaponry, was the decisive factor. Although, like Lenin and Stalin, Mao was determined to build a militarised one-party state worshipful of its supreme leader, he also (especially in his last decade) championed an anarchic insubordination, telling the Chinese people that “it is right to rebel”. During the Cultural Revolution (1966-76), he deployed his own cult to mobilise millions of Chinese people – especially star-struck, indoctrinated youth – to smash party rivals whom he deemed counterrevolutionary.

Millions entered into marriages of political convenience and abandoned their children to devote themselves to a utopian experiment

Born in an era in which China was held in contempt by the international system, Mao, through the 1940s, assembled a practical and theoretical toolkit for turning a fractious, failing empire into a defiant global power. He created a language that intellectuals and peasants, men and women could understand; a disciplined army; a system of propaganda and thought control that has been described as “one of the most ambitious attempts at human manipulation in history”. He gathered around him a company of ruthless, unusually talented comrades, and his ideas elicited extraordinary levels of fervour. Millions entered into marriages of political convenience and abandoned their children to devote themselves to a utopian experiment. Many of these children in turn denounced, humiliated and – in extreme cases – killed their parents in the 1960s and 70s, in his name.

Maoism’s global impact began in the 1940s in Asia: in states on China’s borders breaking with European and Japanese empires, and in the first conflicts of the cold war – Malaya, Korea, Vietnam. Here, Mao’s anti-imperial chutzpah, veneration of asymmetric warfare and above all his obsession with airtight party-building inspired and supported ambitious rebels. The Malayan Communist party – instigators of the insurrection that the rattled British empire called the “Malayan emergency” – was led by ethnic Chinese Malays who listened to the crackling tones of Radio Peking in the jungle and wore Mao’s image on brooches. Between the 1940s and 1970s, they made medical and study pilgrimages to mainland China, where they were housed in Beijing’s top-secret International Liaison Department and enjoyed Saturday-night dances with the Politburo.

Mao saw himself as leader of the world revolution – even before the founding of the People’s Republic, he had opened for business in Beijing a Comintern-style training academy for Asian revolutionaries. When Kim Il-sung’s attempt to reunify Korea under his communist regime foundered in 1950, Mao propped up the North Koreans by

sending 3 million Chinese personnel (of whom at least 360,000 were killed or injured) to Kim's rescue. After North and South Korea, and their Chinese and American backers, had fought each other to a standstill in 1953, Kim rebuilt his country substantially with China's aid and along Maoist lines: worship of the "dear leader", breakneck mobilisation of the North Korean population into political development campaigns, and regular waves of purges. Maoist history and ideas – the memory of Chinese sacrifice in the Korean War and the two states' shared ideological origins – have helped preserve the PRC's support for North Korea; without that assistance, we would not be confronted by the current threat of potential nuclear destabilisation and by harrowing human rights abuses in North Korea.

The Vietnamese communists – adversaries of the US in the hottest conflict of the cold war – were, in the words of one insider, "disciples of Mao". As Ho Chi Minh planned and fought his rebellions against French and then US control, he relied heavily on material aid and strategic blueprints from Mao. The Maoist hymn, "The East Is Red", became a Vietnamese anthem; Mao Zedong Thought was sworn in as "the basic theory" of Vietnamese communism. Between 1950 and 1975, China donated some \$20bn in aid to North Vietnam, trained thousands of its students and cadres in China, and supplied myriad useful items: roads, bullets and uniforms, soy sauce and lard, ping-pong balls and mouth organs. Without Maoist-Chinese intervention, the North Vietnamese communists would not have been able to fight the French and then the US to exhaustion between 1945 and 1973.

But the Maoist intervention left heavy scars on Vietnam. Mao and his lieutenants made material support contingent on Ho Chi Minh importing China's violent model of land reform in the 1950s; a conservative estimate in 2002 judged that 80% of the political punishments meted out – including as many as 30,000 executions of "bullying landowners" – were mistaken.

Cambodia suffered worse. From the 1950s, Mao and his toughest, most charming lieutenants wove a careful network of influence around the country. The CCP sponsored Pol Pot's insurgency against the Cambodian state and were the Khmer Rouge's main backers after they took power in 1975. When Pol Pot visited his benefactor that summer, Mao – although physically ailing from a form of motor neurone disease – was buoyed by the encounter: "We approve of you! Many of your experiences are better than ours." Although the Khmer Rouge proved to be unruly allies, they translated into Cambodian key ingredients of Mao's political model: radical collectivisation, a pathological suspicion of the educated, the paranoia and constant purges of the Cultural Revolution. By early 1979, around 2 million – some 20% of the population – had died unnatural deaths. The country's current leader Hun Sen, a former Khmer Rouge commander with an appalling record of political violence, is one of the world's longest-serving prime ministers.



## **Chapter 57: Khmer Rouge and Maoism**

While the Khmer Rouge committed genocide, western Europe and North America ran their own Maoist fevers. The noisy protest culture of the late 60s passionately identified with Mao's message to his youthful Red Guards that it was "right to rebel". Mao badges were pinned on student lapels, Mao quotations were daubed on the walls of lecture halls. Maoist-anarchists scrambled to the top of a church in West Berlin and bombarded passersby with hundreds of Little Red Books. A 1967 issue of *Lui* magazine (a French version of *Playboy*) included a special China supplement, titled *The Little Pink Book*, illustrated by Mao soundbites and snaps of young women dressed – if at all – in Mao jackets and playfully assuming faux-militant Cultural Revolution poses. One young woman, naked except for a rifle, leapt out of a vast white cake, to the Maoist dictum "revolution is not a dinner party". At least one professional militant in the Bronx read the Little Red Book to his marijuana plant to help it to grow.

## **Chapter 58: Maoism Abroad**

Amid widespread disgust at US intervention in Vietnam, western radicals' fellowship with Mao's China – tireless in its rhetorical attacks on America – followed the logic of "my enemy's enemy is my friend". After the quashing of the Hungarian uprising in 1956 and with the invasion of Czechoslovakia in 1968, the Soviet Union no longer represented a rebellious bulwark against capitalism. The People's Republic of China – bigger than Vietnam, more remote than Cuba, more extreme than them both – looked the best alternative. Sympathy with Mao's China merged with outrage over the mistreatment of American "internal colonies" – black, Latin and Asian American. Impressed by Mao's denunciations of US foreign policy and expressions of solidarity with black rights, the militant wing of the African American liberation movement channelled Mao's ideas to challenge the white American ruling establishment. The Black Panthers sold Little Red Books to generate funds to buy their first guns.

After the European protest movement of the late 60s petered out, Cultural Revolution-inspired radicalism bled into urban terrorism in West Germany – the Red Army Faction (AKA the Baader-Meinhof group) caused 34 deaths in the 70s alone – and in Italy, where the Red Brigades committed some 14,000 acts of violence, resulting in 75 deaths, between 1970 and 2003. Both the RAF and the Red Brigades larded their declarations with Mao quotations: "imperialism and all reactionaries [are] paper tigers"; "whoever is not afraid of being drawn and quartered, can dare to pull the emperor from his horse".

Following Mao's death in 1976, and the PRC's own denunciation of the Cultural Revolution as "10 years of chaos", western enthusiasm for Mao faded. But in the developing world – above all in India and Nepal – his ideas remained powerfully appealing. There, Mao's revolution represented a blueprint for political success apparently suited to poor, agrarian states that had suffered at the hands of colonialism. High-caste rebels seduced by China's technicolour propaganda dream of an egalitarian utopia led Maoist insurgencies years, even decades after the

chairman's death. These leaders, paradoxically, have come from the educated classes of which Mao himself was so mistrustful. One – the privately educated brother of a Mumbai ice-cream entrepreneur – trained in London as a chartered accountant before declaring war on the Indian state.

## **Chapter 59: India's Maoism as an Internal Security Challenge**

India's Maoist insurrection began with the Naxalite rebellion of 1967, one of the major regional explosions of Mao's Cultural Revolution. While that earlier conflagration was for the most part extinguished in the early 1970s by a harsh state response, splinters of the original movement fought on. The Indian government currently claims that 20 of the country's 28 states are affected by the Maoist insurgency, which it has called "the biggest internal security challenge facing our country". This war owes its survival to Maoist groups' readiness to attack some of India's socioeconomic enormities, such as the hierarchical violence of the caste system and the racist exploitation suffered by the poorest tribal peoples. In the new millennium, the Maoists have gained further traction by linking their cause to environmental protests.

After 2003, the Indian state – ambitious to increase revenues – began granting lucrative mining contracts to multinational corporations, especially in mineral-rich Chhattisgarh and Jharkhand. Maoist insurgents organised locals into resisting state and corporate efforts to empty land ready for industrial development.

Maoist civil war in Nepal started at 10pm on 12 February 1996, when 36 members of the Communist party of Nepal (Maoist) rushed a police station in Rolpa, in the north-west. (Apart from a motley assortment of home-made firearms, they possessed only one rusty rifle, dating from the late 1980s.) A decade later, the Nepali Maoists had fought their way to a position of decisive political influence. Pushing back against the firepower of the Nepali police and army, their People's Liberation Army was 10,000 strong and had wrested 80% of Nepal's territory from state control. Their armed rebellion was the principal reason for the collapse of the monarchy and the establishment of a federal republic in Nepal after 2006. Between 2006 and 2016, two leaders of the Maoists (both, like their Indian counterparts, high-caste) served between them three terms as prime minister of Nepal and many other senior party figures held government positions. Although they did not realise their original ambition – state capture resulting in unchallenged control of the country, as achieved by the Chinese Communist party – Nepal is now the only country in the world where you can encounter self-avowed Maoists in power.

There are major aspects of the Maoist heritage that strongman Xi Jinping is determined to suppress

Both these conflicts took place through and beyond the supposed end of the cold war. The Maoist insurgencies in Nepal and India blazed years after Francis Fukuyama declared that humans had reached "the end of history" with capitalism's definitive victory over communism. Once you write Maoism back into the global history of the 20th century, then, you start to get a very different narrative from the standard one in which communism loses the cold

war in 1989. Nowhere is this storyline clearer than in China. More than a quarter of a century since communism disintegrated in Europe and then in the USSR, China's Communist party continues – seemingly – to flourish. Under its direction, China has become a world economic and political force. The CCP – its practice and legitimacy still dominated by Mao – has with quite extraordinary success recast itself as a champion of the market economy, while remaining a secretive, Marxist-Leninist organisation. Although Mao's successor, Deng Xiaoping, mothballed the keynote policies of the Cultural Revolution – communes and mass-spectacle purges – Mao is still fundamental to the PRC's political and institutional framework.

## **Chapter 60: Chinese Playground: Maoism**

Mao enjoys an uncomfortable legacy in contemporary China. The leaders of the CCP try to exploit Mao's fuzzy father-of-the-nation symbolism, in order to shore up Communist party rule. Yet there are major aspects of the Maoist heritage that strongman Xi Jinping is determined to suppress: above all the bottom-up mobilisations of the Cultural Revolution that almost destroyed the party-state in the late 1960s. Xi's China is in any case different (almost beyond recognition) from Mao's: tied into global finance, its political equilibrium and legitimacy bound to economic performance rather than ideological purity, its media too diversified for a single official message to convince its increasingly well-travelled, ambitious (and tax-paying) citizens. Xi's selective revival of the Maoist political repertoire sits awkwardly within a China that is so transformed from the Mao era.

And large, unstable parts of the Mao cult continue to flourish beyond party control. After the CCP dismantled urban welfare and job security in the late 1990s, laid-off workers marched in protest, brandishing portraits of Mao, whom they acclaimed as the patron saint of workers' rights. Neo-Maoists in China angry at the inequalities generated by the market and globalisation quote Mao's Cultural Revolution incitement to rebel against the state. The CCP has done its best to co-opt, silence and suppress such dissenting tendencies. The latest eruption to trouble the government has been student "Marxist societies" founded in China's top universities. In 2018 – to the chant of "Long Live Chairman Mao" – their members helped organise workers' protests against corporate exploitation; plain-clothes police quickly "disappeared" them.

Idealistic young students and hard-headed party apparatchiks in China; power-hungry dreamers and dispossessed insurgents in the developing world; anti-establishment rebels in Paris, Berkeley, Pisa, Delhi – all have felt the unsettling, border-crossing impact of Maoism. We need to bring Mao and his ideas out of the shadows, and recast Maoism as one of the major stories of the 20th and 21st centuries.

## Chapter 61: Combating Naxalite Insurgency in India

### Road Requirement Plan for Left Wing Extremism (LWE) Affected Areas:

- This Scheme is being **implemented by the Ministry of Road Transport and Highways for improving road connectivity** in 34 LWE affected districts of 8 States.
- **8 States** are Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Uttar Pradesh.
- This scheme **envisaged construction of 5,422 km roads lengths** in LWE affected States.

### Present Issue:

- **90%** of the 5422 km Road Requirement Plan stands completed, but progress remains a **problem in Chhattisgarh**.
- Of the **419 km** of roads remaining across four states, **Chhattisgarh accounts for 360 km**.

### Proposed Solution:

- **Chhattisgarh** proposed to the Centre to **break up the contracts into small portions** so that local contractors can take up the jobs.
- When local people take up the contracts, they are in a better position to get the work done.

### Left Wing Extremism (LWE):

- 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 and try to misguide the people** by keeping them ignorant of current happenings.
- Left Wing Extremists are popularly known as **Maoists** worldwide and as **Naxalites** in India.

### Other Government Initiatives to fight LWE:

- **Greyhounds:** It was raised in 1989 as an elite anti-naxal force.
- **Operation Green Hunt:** It was started in 2009-10 and massive deployment of security forces was done in the naxal-affected areas.
- **LWE Mobile Tower Project:** To improve mobile connectivity in the LWE areas, the Government in 2014, approved installation of mobile towers in LWE affected States.
- **Aspirational Districts Programme:** Launched in 2018, it **aims to rapidly transform the districts** that have shown relatively lesser progress in key social areas.

### SAMADHAN:

- It stands for:

- 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, and
- N- No access to Financing.
- This doctrine is the **one-stop solution for the LWE problem**. It encompasses the **entire strategy of government from short-term policy to long-term policy** formulated at different levels.

### Way Forward

- Though the number of incidents of LWE violence has come down in the recent past, continued efforts and focus are needed in eliminating such groups.
- Government needs to ensure two things; **security of the peace-loving people** and the **development of the naxalism-affected regions**.
- Centre and states should continue with their **coordinated efforts in development and security** both where Centre should play a supportive role with state police forces taking the lead.
- Government needs to undertake **technological solutions** such as the use of **drones** to minimize loss of lives of security personnel.

### Chapter 62: Countering Maoism in India

When former Prime Minister Dr Manmohan Singh in 2010 flagged Naxalism as the important internal security challenge, the insurgency was at its peak. In line with that assessment, the government of India reinforced security and development assistance to state governments faced with this problem. This combined effort is yielding positive results. The number of civilians and security forces killed has come down. So is the number of severely affected districts, which are no more than 30. What is catastrophic though is the sporadic high fatalities suffered by security forces in the well-planned offensive ambushes laid by Naxalites. Is this an insurmountable challenge? Analysing this menace from ideological, strategical and tactical frameworks is likely to throw some convincing answers.

According to Maoist ideology, economically oppressed peasants/working class will triumph over the oppressive capitalist bourgeois class to establish a classless society. For them, the only strategy to establish a classless society is through armed revolution. The operational tactics to give shape to that strategy is protracted guerrilla warfare.

The ideological fountain of Maoism, class struggle, that erupted as a small armed rebellion between the landless peasants and the landed aristocracy in Naxalbari village in West Bengal in 1967, could not sustain. Rapid economic

growth, aspirational youth and opportunities created by communication and mobility act as a strong counter for economic class-based division.

With their ideology and strategy not getting much traction, the Maoists are seemingly succeeding in their tactics. It is showing in the support and sustenance Maoists receive from the local population and their ability to mobilise their village defence forces and armed dhalams into a kind of mobile army for a virulent attack. This is the nature of mobile guerrilla warfare. Fortunately for the security forces, the so-called liberated zone is confined to about 50,000 sqkm of forested area of Bastar, Bijapur, Dantewada, Kanker, Kondagaon, Narayanpur and Sukma districts of Chhattisgarh, with little spillover into adjoining Maharashtra and Odissa.

Strategic victory over them calls for clarity on the role and responsibility of the central and state and governments; honest assessment of capabilities, operational philosophy, mindset, willingness, compulsions and resolve of security forces involved in anti-Naxalite operations; and a realistic timeframe to root out this menace.

This warfare at the tactical level can be successfully fought by an equally agile, stealthy, enduring and disciplined commando force of the state police, recruited trained and raised primarily out of the local youth. The most acclaimed of such a commando force is the Greyhounds of erstwhile Andhra Pradesh police. This is a success story to build on.

Achieving strategic victory is no guarantee for lasting peace. Maoism is a social, economic and developmental issue manifesting as a violent internal security problem. Even the Maoists would like the state to respond from security rather than developmental perspective, as they know that only in relative poverty and severe infrastructure deficit, they have their captive support base of the population.

It is not merely for tactical reasons the Maoist influence thrives in contiguous forested areas spread over Jharkhand, Chhattisgarh, Maharashtra, Orissa, Telangana and Andhra Pradesh. There is a deep-rooted financial interest. This region is richly endowed with minerals of bauxite, iron ore, limestone, marble, dolomite, coal and copper and of pristine forests rich in timber and Minor Forest Produce (MFP). The MFP, which includes bamboo and tendu leaf (for rolling beedi), contrary to the nomenclature is a huge source of revenue estimated at over Rs 20,000 crore a year. The value chain in these natural resources leaves a huge profit margin for the extractive industry/contractors and scope for extortion/protection money to the Maoists. The unit of auction for extraction of MFP is a block of forest area. Quantity extracted out of a block is left to the ability of the contractor, thus leaving huge profit. The Maoists pose as Robin Hoods by seemingly negotiating a better wage for the labour or price for the produce.

## **Chapter 63: The Government Counter to Naxalism in India**

### **LEFT WING EXTREMISM DIVISION**

#### **About The Division**

This Division was created w.e.f. October 19, 2006 in the Ministry, to effectively address the Left Wing Extremist insurgency in a holistic manner. The LWE Division implements security related schemes aimed at capacity building in the LWE affected States. The Division also monitors the LWE situation and counter-measures being taken by

the affected States. The LWE Division coordinates the implementation of various development schemes of the Ministries/Departments of Govt. of India in LWE affected States. The States of Chhattisgarh, Jharkhand, Odisha, Bihar, West Bengal, Andhra Pradesh, Telangana, Maharashtra, Madhya Pradesh and Kerala are considered LWE affected, although in varying degree.

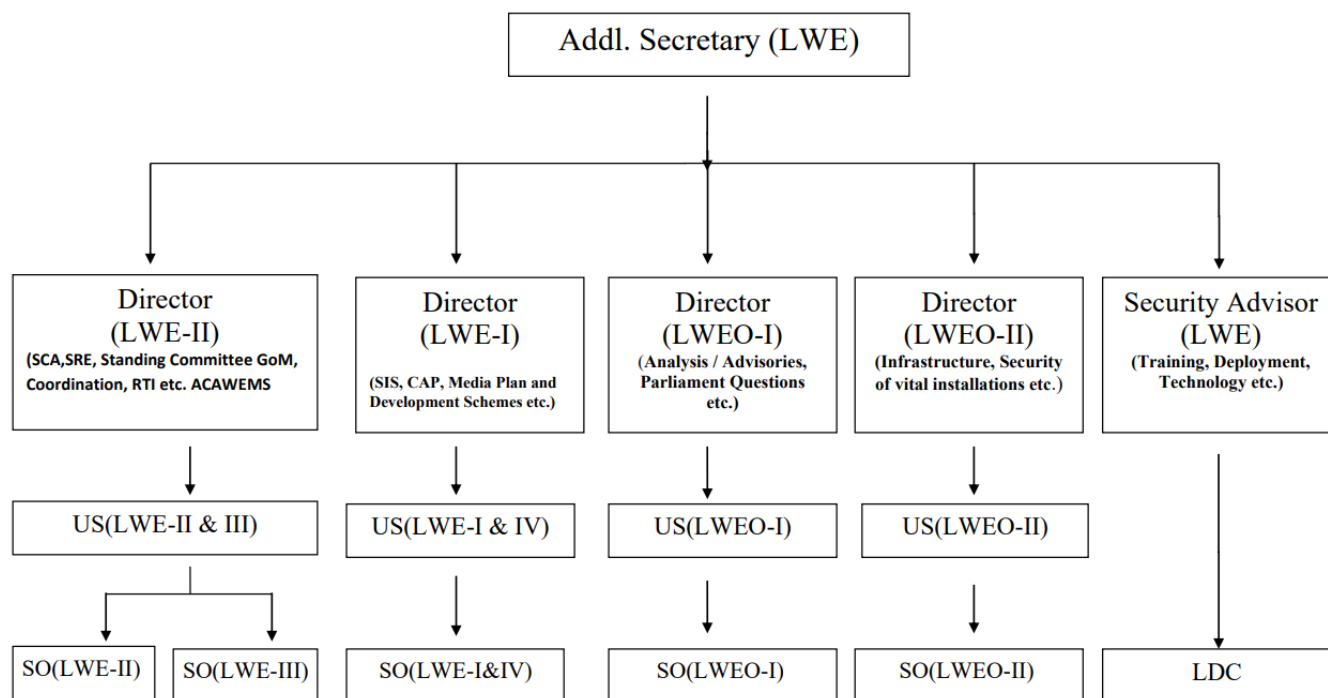
## Chapter 64: the MHA efforts against Maoism and Red Terror

### Role And Functions Of The Division

- Capacity building of States to combat LWE through schemes of Ministry of Home Affairs like Security Related Expenditure (SRE) scheme, Special Infrastructure Scheme, Special Central Assistance etc.
- Deployment of Central Armed Police Forces (CAPFs) in LWE affected States.
- Providing funds to the CAPFs for strengthening of infrastructure/ Helicopters/civic action etc.
- Reviewing the security situation in the LWE affected States and issuing advisories to the State Governments concerned.
- Providing assistance to State Governments for initiatives to combat LWE in the form of funds for items of emergent nature.
- Coordinating implementation of LWE related Schemes of other Central Ministries for LWE affected Districts.

### Organisational Chart

#### ORGANIZATIONAL CHART OF LEFT WING EXTREMISM DIVISION



## **Background**

- A number of Left Wing Extremist outfits have been operating in certain remote and poorly connected pockets of the country for a few decades now. In a significant development in 2004, the People's War (PW), then operating in Andhra Pradesh, and the Maoist Communist Centre of India (MCCI), then operating in Bihar and adjoining areas, merged to form the CPI (Maoist) Party. The CPI (Maoist) Party, is the major Left Wing Extremist outfit responsible for a majority of incidents of violence and killing of civilians and security forces and has been included in the Schedule of Terrorist Organizations along with all its formations and front organizations under the Unlawful Activities (Prevention) Act, 1967. The CPI (Maoist) philosophy of armed insurgency to overthrow the Government is unacceptable under the Indian Constitution and the founding principles of the Indian State. The Government has given a call to the Left Wing Extremists to abjure violence and come for talks. This plea has been rejected by them, since they believe in violence as the means to capture State power. This has resulted in a spiraling cycle of violence in some parts of India. The poor and the marginalized sections like the tribal are bearing the brunt of this violence. Many well-meaning liberal intellectuals fall prey to the Maoist propaganda without understanding the true nature of Maoist insurgency doctrine which glorifies violence and believes in adopting the military line to capture power. Between 2004 to 2021, 8527 people have been killed by the LWE in different parts of India. The majority of the civilians killed are tribal's, often branded as 'Police informers' before being brutally tortured and killed. In fact, the tribal and the economically underprivileged sections, whose cause the Maoists claim to espouse, have been the biggest victims of the So-called 'protracted peoples war' of the CPI (Maoist) against the Indian state.

## **Chapter 65: The Dynamics Of Maoist Insurgency**

- Some sections of the society, especially the younger generation, have romantic illusions about the Maoists, arising out of an incomplete understanding of their ideology. The central theme of Maoist ideology is violence. The Maoist insurgency doctrine glorifies violence as the primary means to overwhelm the existing socio-economic and political structures. The Peoples Liberation Guerilla Army (PLGA), the armed wing of CPI (Maoist), has been created with this purpose in mind. In the first stage of the insurgency, the PLGA resorts to guerrilla warfare, which primarily aims at creating a vacuum at the grass-roots level of the existing governance structures. This is achieved by killing lower-level government officials, police-personnel of the local police stations, the workers of mainstream political parties and the people's representatives of the Panchayati Raj system. After creating a political and governance vacuum, they coerce the local population to join the movement. A strident propaganda is also carried out against the purported and real inadequacies of the existing state structure..
- In areas under Maoist domination, the absence of governance becomes a self- fulfilling prophecy since the delivery systems are extinguished through killings and intimidation. This is the first step in the strategy of the Maoists to seek to control the countryside. In the meanwhile, many Front Organisations are created to facilitate



mass-mobilisation in semi-urban and urban areas through ostensibly democratic means. Most of the Front Organisations are led by well-educated intellectuals with a firm belief in the Maoist insurgency doctrine. These ideologues function as masks to cover the violent nature of the CPI (Maoist) ideology. They also form the propaganda/disinformation machinery of the party..

- They stridently take up issues like ‘displacement of tribals’, ‘corporate exploitation’, ‘human rights violations’ by security forces etc. and often make fantastic claims in this regard which get reported even by the mainstream media. The Front Organisations also skillfully use state structures and legal processes to further the Maoist agenda and weaken the enforcement regime. The important functions of these Organisations include recruitment of ‘professional revolutionaries’, raising funds for the insurgency, creating urban shelters for underground cadres, providing legal assistance to arrested cadres and mass- mobilisation by agitating over issues of relevance/ convenience. The Front Organisations aim to provide short-term democratic subterfuge to cover-up the totalitarian and oppressive nature of the Maoist ideology. The CPI (Maoist) also have a strategic game-plan to create a ‘United Front’ with all like-minded insurgent/terrorist outfits in India. It needs to be remembered that many of these outfits are supported by external forces inimical to India and the CPI (Maoist) consider such alliances as strategic assets.
- In a nutshell, the CPI (Maoist), the main LWE outfit in India, aims to overthrow the existing democratic state structure with violence as their primary weapon, and mass mobilization and strategic united fronts as complementary components and plans to usher in So-called ‘New Democratic Revolution’ in India.

## **Chapter 66: The Government Of India’s Approach**

The Government’s approach is to deal with Left Wing Extremism in a holistic manner, in the areas of security, development, ensuring rights and entitlements of local communities, improvement in governance and public perception management. In dealing with this decades-old problem, it has been felt appropriate, after various high-level deliberations and interactions with the State Governments concerned, that an integrated approach aimed at the relatively more affected areas would deliver results. With this in view, a detailed analysis of the spread and trends in respect of Left Wing Extremist violence has been made and 70 districts in ten States have been taken up for special attention with regard to planning, implementation and monitoring various interventions. However, 'Police' and 'Public Order' being State subjects, action on maintenance of law and order, lies primarily in the domain of the State Governments. The Central Government closely monitors the situation and supplements and coordinates their efforts in several ways. These include providing the Central Armed Police Forces (CAPFs); sanction of India Reserve (IR) battalions, setting up of Counter Insurgency and Anti Terrorism (CIAT) schools; modernisation and upgradation of the State Police and their Intelligence apparatus; reimbursement of security related expenditure under the Security-related Expenditure (SRE) Scheme; providing helicopters for anti-LWE operations, assistance in

training of State Police through the Ministry of Defence, the Central Police Organisations and the Bureau of Police Research and Development; sharing of Intelligence; facilitating inter-State coordination; assistance in community policing and civic action programmes etc. The underlying philosophy is to enhance the capacity of the State Governments to tackle the Maoist menace in a concerted manner.

## **Chapter 67: Monitoring Mechanisms**

The Union Home Minister, the Home Secretary & the Special Secretary/ Additional Secretary and a Review Group chaired by the Cabinet Secretary review the LWE situation on a regular basis. The Progress of the various schemes is regularly monitored by MHA through meeting and Video Conferencing with the Central Ministries/ Departments concerned and State Governments.

### **Recent Reviews**

- The Union Home Minister has convened meetings of Chief Ministers of LWE affected States on February 09, 2015, May 08, 2017, August 26, 2019 and September 26, 2021.
- The Union Home Minister has visited Chhattisgarh and Jharkhand in the month of May 2018 and reviewed the LWE situation.
- The Minister of States (Home) have visited LWE affected States and reviewed the LWE situation.
- Review Group meeting conducted by the Cabinet Secretary on 15/12/2016, 03/08/2017 and on 23/7/2018
- Meetings are being conducted regularly by Union Home Secretary with Secretaries of Central Ministries and Chief Secretaries, DsGP of the LWE affected States and DsG of CAPFs.
- Union Home Secretary also visited the LWE affected States to review the LWE situation.
- The Union Home Secretary has visited Chhattisgarh in the month of October, 2019 and reviewed the LWE situation.

## **Chapter 68: Important Initiatives For LWE Affected States**

- In order to holistically address the LWE problem in an effective manner, Government has formulated National Policy and Action Plan adopting multi-pronged strategy in the areas of security, development, ensuring rights & entitlement of local communities, etc.,..
- **Security Related Expenditure (SRE) Scheme:** This Scheme is being implemented as a sub-scheme of the Umbrella Scheme 'Modernization of Police Forces'. Under the Security Related Expenditure (SRE) Scheme, the central Govt. reimburses to the State Governments of 10 LWE affected States Security Related Expenditure of 70 districts relating to training and operational needs of security forces, ex-gratia payment to the family of civilians/security forces killed/injured in LWE violence, compensation to Left Wing Extremist cadres who surrendered in accordance with the surrender and rehabilitation policy of the concerned State Government,

community policing, Security related infrastructure for village defence committees and publicity materials. There is a substantial increase in annual outlay and new items such as compensation for Security force personnel incapacitated during anti LWE operations and compensation for the property damage have been included in this scheme. The SRE Scheme aims at strengthening of the capacity of the LWE affected States to fight the LWE menace effectively. Under the scheme, Rs. 306.95 crore have been released in financial year 2021-22..

- **Special Central Assistance (SCA) for most LWE affected districts:** This Scheme was approved in 2017 and is being implemented as a sub-scheme of the Umbrella Scheme ‘Modernization of Police Forces’. The main objective of the Scheme is to fill the critical gaps in Public infrastructure and Services, which are of emergent nature. Rs. 3085.74 crore have been released to the States during last 5 years..
- **Special Infrastructure Scheme (SIS):** This Scheme is being implemented as a sub-scheme of the Umbrella Scheme ‘Modernization of Police Forces’. Under the scheme funds are provided to States for strengthening the Infrastructure related to Security. Rs. 184.89 crore have been released till now under the scheme since 2017-18.
- **Scheme of Fortified Police stations:** The Ministry had sanctioned construction of 400 Fortified Police Stations in 10 LWE affected States. All these 400 PSs have been completed.
- **Assistance to Central Agencies for LWE management Scheme:** This Scheme is being implemented as a sub-scheme of the Umbrella Scheme ‘Modernization of Police Forces’. Under the Scheme, assistance is provided to Central Agencies (CAPFs/IAF etc) for strengthening of infrastructure and hiring charges for Helicopters.
- **Civic Action Programme (CAP):** This Scheme is being implemented as a sub-scheme of the Umbrella Scheme ‘Modernization of Police Forces’ to bridge the gaps between Security Forces and local people through personal interaction and bring the human face of SFs before the local population. The Scheme has been very successful in achieving its goal. Under the Scheme, funds are released to the CAPFs, deployed in LWE affected areas, for conducting various civic activities for the welfare of the local people. Rs.19 crore has been released to CAPFs in the financial year 2021-22.
- **Media Plan:** This Scheme is being implemented as a sub-scheme of the Umbrella Scheme ‘Modernization of Police Forces’. The Maoists have been misguiding and luring the innocent tribals/ local population in LWE affected areas by their So-called poor-friendly revolution through petty incentives or by following their coercive strategy. Their false propaganda is targeted against the security forces and the democratic setup. Therefore, the Government is implementing this Scheme in LWE affected areas. Under the scheme activities like Tribal Youth Exchange programmes organised by NYKS, radio jingles, documentaries, pamphlets etc. are being conducted. Rs.7.13 crore have been released in the financial year 2021-22.
- **Road Requirement Plan-I (RRP-I) for LWE affected areas:** This Scheme is being implemented by Ministry of Road Transport & Highways for improving road connectivity in 34 LWE affected districts of 8 States i.e. Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Uttar Pradesh.

This scheme envisaged construction of 5,362 km roads lengths in LWE affected States, of which 5038 km roads have been completed.

- **Road Connectivity Project for LWE affected areas (RCPLWE):** The Government approved this scheme on 28.12.2016 for further improving road connectivity in LWE affected States, with an estimated expenditure on Rs. 11,725 Crore. Under the scheme 11302 km of roads and 593 bridges are sanctioned. Ministry of Rural Development is the nodal Ministry for this project. The roads included under the scheme have been identified by the Ministry of Home Affairs in consultation with the State Governments and the security agencies. 5998 km roads and 159 bridge works have been constructed so far.
- **LWE Mobile Tower Project:** To improve mobile connectivity in the LWE areas, the Government on 20.08.2014 approved installation of mobile towers in LWE affected States and 2343 mobile towers have been installed in Phase-I. Phase-II of the project has been approved by the Government of India, and the work order for 2543 Towers has been issued and the installation of towers has started.
- he
- **Aspirational District:** The Ministry of Home Affairs has been tasked with the monitoring of Aspirational districts programme in 35 LWE affected districts.

## **Chapter 69: Conclusion**

It is the belief of the Government of India that through a holistic approach focusing on development and security-related interventions, the LWE problem can be successfully tackled. However, it is clear that the Left Wing Extremists do not want root causes like underdevelopment to be addressed in a meaningful manner since they resort to targeting school buildings, roads, railways, bridges, health infrastructure, communication facilities etc. in a major way. They wish to keep the population in their areas of influence marginalized to perpetuate their outdated and failed ideology. Consequently, the process of development has been set back by decades in many parts of the country under Left Wing Extremists influence. This needs to be recognized by the civil society and the media to build pressure on the Left Wing Extremists to eschew violence, join the mainstream and recognize the fact that the socio-economic and political dynamics and aspirations of 21st Century India are far removed from the Maoist world-view. Further, an ideology based on violence and annihilation is doomed to fail in a democracy which offers legitimate forums of grievance redressal.

## **Chapter 70: Naxalism/ Maoism and Strategies**

In one of the worst retaliatory attacks on the anti-Naxal security forces, Maoist insurgents killed 15 jawans in Maharashtra's Gadchiroli district. Less than a month ago, a legislator and some security personnel lost their lives in a similar attack in Chhattisgarh. The term "Naxalites" comes from Naxalbari, a small village in West Bengal where a section of the Communist Party of India (Marxist) (CPI-M) led by Charu Majumdar, Kanu Sanyal, and

Jangal Santhal initiated a violent uprising in 1967. The central theme of Maoist ideology is the use of violence and armed insurrection as a means to capture State power.

### Important Facts

- Ministry of Home Affairs (MHA) had categorized **126 districts in 10 states** as Left Wing Extremism affected.
- Over the last four years, there has been a substantial improvement in the LWE scenario. **Incidents of violence** have seen a 20% decline with a 34% reduction in related deaths in 2017 as compared to 2013.
- **Geographical spread of LWE violence** has also shrunk from 76 districts in 2013 to 58 districts in 2017.
- Besides, just **30 of these districts account for 90% of the LWE violence** in the country.
- **'Incidents of violence'** is the primary criterion **for removing the districts and including new ones** in the red corridor.
- The States of **Chhattisgarh, Jharkhand, Orissa and Bihar** are considered **severely affected**. The States of **West Bengal, Maharashtra and Andhra Pradesh** are considered **partially affected**. The States of **UP and MP** are considered **slightly affected**.
- The CPI(Maoist) are making **forays into Southern States** of Kerala, Karnataka and Tamil Nadu and planning to link up the Western Ghats to the Eastern Ghats through these states.

### Chapter 71: The Government Of India's Approach

- The Government's approach is to deal with Left Wing Extremism in a **holistic manner**, in the areas of **security, development, ensuring rights and entitlements** of local communities, **improvement in governance and public perception management**.
- **An integrated approach** aimed at the relatively more affected areas.
- **'Police' and 'Public Order' being State subjects**, action on maintenance of law and order, lies primarily in the domain of the State Governments.
- The Central Government closely **monitors the situation and supplements and coordinates** their efforts in several ways.
- The underlying philosophy is to **enhance the capacity of the State Governments** to tackle the Maoist menace in a concerted manner.
- **National Policy and Action Plan (2015)** of MHA envisages a **multi-pronged strategy** involving security and development related measures.
- The significant features of the policy are **zero tolerance towards violence** coupled with a **big push to developmental activities** so that benefits of development reached the poor and vulnerable in the affected areas.

## Measures Taken So Far

### Hard Approach

- **SAMADHAN** - stands for Smart leadership, Aggressive strategy, Motivation and training, Actionable intelligence, Da technology, an Action plan for each theatre, and No access to financing.
- **Police Modernization Scheme** in areas affected by Naxal movements.
- **Mine Protected Vehicles (MPV)** to reduce the number of casualties due to use of IED by the Naxalites.
- Augmenting the strength of Central Armed Police Forces
- **Establishment of National Security Guard (NSG) hubs** at Chennai, Kolkata, Hyderabad and Mumbai;
- **Strengthening and re-organizing of Multi-Agency Centre** to enable it to function on 24x7 basis
- Sanctioning of new **Specialized India Reserve Battalions (SIRB)**.
- **Special Infrastructure Scheme** for funds to the States of Bihar, Chhattisgarh, Jharkhand and Odisha to raise Special
- **Unlawful Activities (Prevention) Act, 1967** has been amended to strengthen the punitive measures.
- **Security Related Expenditure (SRE) Scheme:** Under this the central Govt. reimburses security related expenditure

## Chapter 72: Governance

- **Weak coordination between the States affected** - States (both affected and non-affected) restrict their efforts to the defined political boundaries instead of walking the extra mile for better synergy and coordination.
- **Inefficient Delivery of Governance** - Still, basic and essential services, justice delivery, community participation among others remain elusive to most of the Naxal affected areas of our country.
- **Trust Deficit** - Locals, especially in Naxal affected areas, are still sceptical and insecure regarding the intentions of the government and security forces. Their engagement is imperative in dealing with the naxal menace.
- **Inability to Maintain Created Assets** - This weakens the position of both the government and the security forces deployed as it hampers the trust of locals, disrupts channels of communication etc.
- **Ineffective Democratic Decentralisation** - Half hearted and weak ground implementation of PESA, provisions of the sixth & fifth schedule and even PRIs has definitely helped in not containing the problem.
- **Poor Forest Governance** - Continuous weakening of forest governance laws and related rights of dwellers as evidenced through recent draft India forest Act and the decision of eviction of forest dwellers by SC has made meaningful engagement difficult & uncertain.

- **Unutilized potential of corporates, media and civil society** - To ensure effective reach of benefits to the naxal affected areas it is essential to rope in all sections of society. Media and Corporates though can play a transformative role have not been leveraged yet.

### Chapter 73: Policing Solutions to Naxalism: Security

- **Absence of Co-ordinated Proactive Vigilance** - Weak coordination between central and state agencies results in the development of security voids captured subsequently by naxals.
- **Passive Role of State Police Forces** - State police forces have usually not been in the frontline despite of them being well acquainted with the terrain, local community etc.
- **Role of External States** - Role of neighbours and even terrorist organisations has been established through several reports in fueling naxalism in India through supply of finances and arms by leveraging porous and poorly managed border areas.
- **Weak Local Intelligence Gathering** - Weakest link in our strategy so far has been timely collection of intelligence and its efficient dissemination.
- **Rise of Urban Naxalism** - Ideological supporters in the urban areas and at key positions have not only fueled but also have helped naxalism in attaining an organised structure.
- **Inability to Curb Terror Financing** - Any act of violence cannot be sustained without finance. Demonetisation though attempted failed to check it comprehensively.
- **Inadequate Technological Interventions** - Use of drones, mini UAVs, ground sensors, smart guns and artificial intelligence have not been aggressively deployed in naxal areas.
- **Standard Operating Procedures** - All major naxal attacks have been possible owing to failure of effective implementation of SoPs. In the recent attack in Dantewada (C.G), it was emerged that the troops did not follow SoPs.
- **Ill Conceived Decisions** - The unceasing requisitioning of paramilitary forces for the elections in West Bengal weakened the security grid around Maharashtra's Maoist heartland that led to Gadchiroli attack.

### Chapter 74: Case Studies and Way Ahead

- The government of **Chhattisgarh** started the **Counter Terrorism and Jungle Warfare College** in Kanker imparts training to counter the well trained and motivated guerrilla force of the Naxals, where police personnel are given rigorous training in guerrilla warfare and are made to live in the open and taught how to live off the land.
- **Andhra Pradesh** has formed the **Greyhounds** which are said to be one of the most effective police force to combat the Naxal problem.
- **Livelihood Centres** (an educational hubs) in **Chhattisgarh** to **constructively engage youth**.

**Way Ahead** Apart from plugging all the above mentioned loopholes in the present strategy of fighting naxalism in

India, this needs to be recognised by the **civil society and the media to build pressure on the Left Wing Extremists** to eschew violence, join the mainstream and recognise the fact that the socio-economic and political dynamics and aspirations of 21st Century India are far removed from the Maoist world-view.

## **Chapter 75: Who are the Naxalites?**

The term ‘Naxal’ derives its name from the Naxalbari village in West Bengal. Their origin can be traced back to the division of the Communist Party of India (Marxist), which led to the formation of Communist Party of India (Marxist-Leninist).<sup>i</sup> The movement moved from West Bengal to less developed areas of Southern India, such as Chhattisgarh, Odisha, and Andhra Pradesh. For the past 10 years, it has grown mostly from displaced tribals and natives who were fighting against exploitation from big Indian corporations.<sup>ii</sup>

In the Eastern states of India like Odisha, West Bengal, Jharkhand, and Chattisgarh, they are usually known as or referred to as Maoists while in Southern states like Andhra Pradesh, they have other names. They have been declared as terrorists under the Unlawful Activities Prevention Act (UAPA) 1967. Leaders have been known to have hideouts in China.<sup>iii</sup>

The government for a very long time has been negatively impacted by the violence and the disruptions caused in the Naxal-affected areas. Though numerous policy decisions have been devised to rule out the Maoists and Naxalites, most of them seem to have failed. Yet, some states, the ones which are taken up as case studies in this article have been partly successful with their Counter Insurgency (COIN) strategy. In short, this article will scrutinize the government’s policy and approach towards the Naxalites.

### **Government’s Policy**

The government has used various sustainable strategies towards the Maoist insurgency. The main building blocks for India’s anti-Maoist response was laid down by the United Progressive Alliance (UPA) and the National Democratic Alliance (NDA) government between 2004-2014.<sup>iv</sup>

The principal strategy used by the government is the ‘**Law and Order Approach**’. This can be established by the fact that around 532 companies of central paramilitary forces have been deployed in the affected states.<sup>v</sup> The MHA has set up a special ‘institutional mechanism’ for counter-insurgency (COIN) tactics. It consists of <sup>vi</sup>

- A high-level task force named the ‘Review Committee’ under the Cabinet Secretary for promoting coordinated efforts for development and security measures.
- An Inter-Ministerial Group under the Ministry of Home Affairs headed by Secretary, Naxal Management Division – to review the implementation of development programmes in the Naxalite-affected areas.
- A Task Force on inter-State coordination headed by Special Secretary, Internal Security.
- A coordination Centre headed by Union Home Secretary.



Broadly, there are 4 key elements in the Union government's approach to dealing with the Maoists/Naxalites. These are Security, Public Perception Management, Development, and rehabilitation.

## **Chapter 76: Government Measures Against Naxalism**

Broadly, there are 4 key elements in the Union government's approach to dealing with the Maoists/Naxalites. These are Security, Public Perception Management, Development, and rehabilitation.

But let's dive deeper into the policy guidelines used by the government and analyze them under different sub-headings.

1. ***Intelligence and Networking-*** The government has set up Multi-Agency Centre (MAC) at the Central level and State Multi-Agency Centre (SMAC) at the state level. These centres have proved to be highly effective in Maoist hotbeds like Jagdalpur and Gaya. Other noteworthy stops include strengthening of State-Intelligence Bureaus(SIBs) in the LWE affected areas.<sup>vii</sup>
2. ***Deployment of Central Paramilitary Forces-*** The creation of Central Armed Police Forces(CAPF) to carry out counterinsurgency strategies has been a significant factor to improve the condition. More than 70,000 CAPFs have been deployed in the Naxal-affected states. In addition, the Centre has helped states to raise 14 Specialized Commando Battalion (CoBRA) that are equipped and trained in guerrilla and jungle warfare techniques and deployed to the worst-affected districts.<sup>viii</sup>
3. ***SAMADHAN-*** The NDA government led by Prime Minister Narendra Modi, launched 'SAMADHAN' in May 2017. The acronym stands for the following: 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 and N- No access to Financing.<sup>ix</sup> This policy aims to hit at critical junctures in the Maoist links.
4. ***Infrastructure Schemes-*** This scheme provides funds for better mobility, weaponry, vehicles and other critical infrastructure. Under the scheme, some 250 fortified police stations were opened in the LWE affected states. In December 2016, the Union government approved road-connectivity projects in 44 of the worst affected districts allocating a sum of INR 14025 crores.<sup>x</sup>
5. ***Ban on the CPI(Maoist) and the UAPA Act, 2009-*** The Central Government in 2009 put a countrywide ban on the CPI(Maoist). Apart from this, the government enacted the Unlawful Activities Prevention Act, 2009<sup>xi</sup> to put a check on the activities of the Naxalites and providing police and paramilitary forces autonomy and increased powers.

These were few of the indicators which define the government's approach in the naxal-affected states. Due to the varied demography and nature of the Maoist and Naxals, '**One tactic fits all**' would turn out to be a disaster. This

is the reason why the government is moving ahead with not just the ‘**Law and Order Approach**’ but also the ‘**Development and Rehabilitation Approach**’ which has proved to be equally effective.

## **Chapter 77: Developmental Approach towards Naxalism**

The ‘**Developmental Approach**’ can be best illustrated through the works of an expert committee (headed by D. Bandyopadhyay, the architect of “Operation Barga”) which carried out an extensive study on the socio-economic developments in the Naxal-affected regions and how to address those deficits. xii After assessing the suggestions of the Expert Committee, a large number of resources were transferred to areas affected by the Maoist insurgency and Left Wing Extremism. The Flagship Integrated Action Plan (IAP) was launched by the UPA government with a financial package of over INR 6000 crore per annum. One of the most significant steps taken by the Centre to address the longstanding grievances of Adivasis are enacting few landmark legislation recognizing the rights of Adivasis to access forests for self-governance. xiii

Another notable developmental scheme to enhance connectivity in the Maoist inaccessible areas is the Universal Services Obligation Fund (USOF). With a cost of INR 7330 crore, this novel scheme provides financial and administrative support to expand mobile services at 4072 tower locations identified by MHA in 96 districts in 10 states.

## **Chapter 78: Chattisgarh Challenged by Maoism**

### **Chattisgarh**

In the late 1980s, the 40,000-sq-km Bastar region that is made up of the Dantewada, Bijapur, Narayanpur, Bastar and Kanker districts—became the nerve centre of Maoist militancy in India. Nearly 25,000 sq km of Bastar (including Abujmar<sup>xiv</sup>, the Maoist citadel of the so-called Red-Corridor).<sup>xv</sup> The separatists in Chhattisgarh has executed some of the most deadly attacks, such as the Chintalnar Massacre of 76 CRPF soldiers in 2010, and killing the party head for Chattisgarh Nanda Kumar Patel in 2013.<sup>xvi</sup>

The counterinsurgency strategy used by the state involved the nurturing and creation of a vigilante group, popularly called Salwa Judum (or Purification Hunt). xvii The government supported the local militias called Special Police Officers (SPOs) comprising of former rebels and youth. In 2011, the Supreme Court ruled that the Salwa Judum group was illegal as it resulted in the mass displacement of the Adivasis (or tribal communities).<sup>xviii</sup>

The state government also adopted a surrender and rehabilitation policy mix and passed the Chhattisgarh Special Public Securities Act, 2006, which expanded the ambit of unlawful activities including the verbal and oral communications.<sup>xx</sup> The best policy adopted by the state is the opening up of 11 key road connectivity projects finished in 2018, connecting the Sukma, Bijapur and Jagdalpur districts.<sup>xxi</sup>

In addition, the state government has improved its combat capability and the coordination between the Intelligence and paramilitary support. This has resulted in a considerable decrease of the Maoist threats and attacks.

## **Chapter 79: Odisha Compromised by Maoism**

At one point in the late 2000s, the Maoist influence stretched over 23 districts of the 30 districts in Odisha. Koraput, Malkangiri, Rayagada, Gajapati, Ganjam, Keojhar have proved to be Maoist hotbeds and have paralyzed governance and normal day to day activities in these regions.

The first step taken by the Odisha government was in September 2004, when Patnaik initiated talks with the leaders of the People's War Group (PWG) allowing a rally in the capital.<sup>xxii</sup> The Nayagarh incident in 2008<sup>xxiii</sup> proved to be the turning point for changing the policy decisions of the Odisha government.

After the incident, the government started to rigorously train the police officers, fortified the police stations, and recruited the tribal youth as Special Police Officers (SPOs). 17 battalions of Central forces were stationed in the key Naxal-affected areas.<sup>xxiv</sup> The Odisha government heavily relied on the Developmental approach with various efforts made to conduct food rationing, constructing roads, and other entitlement programmes.<sup>xxv</sup> The results achieved by the Odisha government is commendable and various mineral-rich regions which were affected by the Maoist insurgency have been improved.

## **Chapter 80: West Bengal and Maoist Red Challenge**

By the 2000s, the Maoist insurgency has spread to over 20 districts in the State. Areas like Paschim Medinipur, Bankura and Purulia witnessed intense Maoist activities. After the Lalgurha incident, the Maoist fueled various rebel movements in Nandigram and Singur, which subsequently lead to the defeat of the Mamata Banerjee's Trinamool Congress party in the 2011 polls.<sup>xxvi</sup>

The government under the Mamata Banerjee changed the whole approach towards the Maoists and Naxals, devising a three-pronged counter insurgency strategy. First, the government overhauled the security in these regions by setting up an elite-police team to catch hold of the rebel leaders. Secondly, they offered a surrender and rehabilitation package to the rebels, promising them jobs and other entrepreneurial opportunities to people who would surrender. The third and foremost measure adopted by the government was in the form of various confidence-building measures in the Maoist hotbeds like Bankura, West Midnapore etc.<sup>xxvii</sup>

Intelligence and other police operations were scaled up as the government started using local youth to serve as informers and other Special Police Officers (SPOs). Importantly, the government's Jangalmahal outreach<sup>xxviii</sup> strengthened the state presence in the Naxal-affected areas. From a peak of 425 Maoist-related violent incidents in 2010 (which killed 328 civilians and 36 security forces), the number came down to zero by the end of 2018.<sup>xxix</sup> This shows the success of the West Bengal government in handling the Maoist affected areas.

## **Chapter 81: Jharkhand**

Jharkhand has closely competed with the Chhattisgarh government, in terms of casualties and the attacks on the critical infrastructure like schools, hospitals, police stations etc.<sup>xxx</sup> One of the most crucial operations undertaken by the Jharkhand government was the plan to recapture the forested region of Saranda. <sup>xxxi</sup> The central government immediately framed the Saranda Development Plan in 2012. <sup>xxxii</sup> The state has so far mounted 40 security camps to free 13 focus areas from Maoist influence.<sup>xxxiii</sup> The government is investing heavily in the infrastructure like schools, panchayat buildings, government offices etc. The year 2018 resulted in the lowest number of Maoist related violence. Out of 53 deaths, 10 were security forces and 26 were insurgents. It was in 2017 when the Maoists saw the highest number of deaths in their ranks: that year, 25 of them were killed in encounters with security forces (who lost two of their own.)<sup>xxxiv</sup> The present strategies adopted by the government are commendable but still there are several active hotspots across the state's vast terrain.

## **Chapter 82: Bihar and Maoism**

The Left Wing Extremism movement in Bihar started in the early 1970s. The government in Bihar took various steps to improve governance and initiated a number of socio-economic and development strategies. <sup>xxxv</sup> The real wakeup call came in 2005 when the Naxalites released 364 of their comrades from the Jehanabad jail. This made the government change its strategies, placing more emphasis on good governance.

On the security measures, the government created a 400-member Special Task Force and a Special Auxiliary Force for counter-insurgency. Various counter-insurgency training schools were also set up to combat operations in the Naxal-affected areas. It also increased its rehabilitation and surrender policies by implementing speedier trials in the Maoist affected regions.

These five states have been considerably successful in implementing an effective Counter-Insurgency strategy and reducing casualties in the Maoist and Naxal affected areas. Any central strategy build along the lines of the above strategies has increased the chances of being successful.

## **Chapter 83: The denouement of the Counter-Insurgency Strategy**

Coordinated and counter-offensive strategies have drastically reduced the Maoist sponsored violence, have resulted in the elimination of various important leaders of the movement and reduced their influence to few districts in Jharkhand, Chattisgarh, and Odisha. <sup>xxxvi</sup> This is evident from the fact that recently, Ministry of Home Affairs (MHA) removed a record 44 districts from Naxal affected list, while the 'worst affected category' was reduced from 35 to 30. In fact, various reports suggest that Naxal organizations are getting thinner at the top, seriously raising doubts about its future existence as an armed movement.

They have captured more than 7,000 active cadres in the last three years, while an equal number of Maoists have surrendered before authorities in various states. In 2016 alone, security forces arrested as many as 1844 CPI-Maoist cadres, while more than 1,442 members of the group chose to surrender before the state authorities.<sup>xxxvii</sup>

Further, the intelligence-led operations and the shrinking base of the Maoists have impacted the finances of the Naxalites. The most lethal blow came from the recent demonetization done by the Indian government.<sup>xxxviii</sup> Thus, the Maoist and Naxal organizations face a tough challenge in front of them with better Counterinsurgency strategies being devised and hitting them at critical junctures like finances, arms and weapons etc.

## **Chapter 84: What is Terrorism?**

**Overview:** In 2019, India suffered terrorist attacks in the state of Jammu and Kashmir, the northeastern Indian states, and parts of central India. The Government of India continued to apply sustained pressure to detect, disrupt, and degrade terrorist activities within its borders. Prime Minister Modi and other senior Indian leaders made numerous statements to condemn domestic terrorist attacks and bring to justice the perpetrators of terrorism, in cooperation with the United States and other like-minded countries.

The United States and India increased CT cooperation in 2019. In March, the United States and India held the annual Counterterrorism Joint Working Group in Washington, D.C., meeting concurrently with the second U.S.-India Designations Dialogue. Both countries announced their intent to prevent terrorists from obtaining access to weapons of mass destruction and underscored their respective commitments to the implementation of UNSCR 2396. In December, the United States hosted the 2+2 Ministerial Dialogue, in which the ministers called for concerted action against all terrorist networks, including AQ, ISIS/Daesh, LeT, JeM, HQN, Hizb-ul Mujahideen, and TTP.

### **2019 Terrorist Incidents:**

- On February 14, a suicide bomber from the terror group JeM, using a VBIED, killed 40 Indian soldiers from the Central Reserve Police Force in Pulwama, in the state of Jammu and Kashmir.
- On April 9, in southern Chhattisgarh, Maoist terrorists triggered an IED, killing a Bharatiya Janata Party Chhattisgarh Legislative Assembly member and four others.
- On May 1, Maoist terrorists used landmines to kill 15 members of Maharashtra state's counter-insurgency commando unit.
- On October 29, suspected terrorists killed five migrant laborers, all from the eastern state of West Bengal, in the southern portion of the Indian state of Jammu and Kashmir.

**Legislation, Law Enforcement, and Border Security:** The 1967 Unlawful Activities Prevention Act was amended in August 2019 to allow for the designation of individuals as terrorists. The Indian Parliament passed amendments to the National Investigation Agency (NIA) Act of 2008 to give NIA the ability to investigate terrorism cases overseas. The

newly amended NIA Act can further improve bilateral law enforcement cooperation. The efficacy and impact of the newly amended laws will likely be tested in ongoing terrorism cases in the Indian state of Jammu and Kashmir, as well as cases involving what India characterizes as “left-wing extremists,” and cases involving insurgencies in Northeast India.

India’s state governments continue to be responsible for law and order. India’s state-level law enforcement agencies play a significant role in detecting, deterring, and preventing acts of terrorism. These state agencies have varying degrees of capability. State antiterrorism squads were created after 2008 for rapid first response.

At the central government level, NIA is the lead law enforcement investigative agency. The National Security Guard (NSG) retains the mandate for nationwide response as the sole federal contingency force. However, despite rigorous training, NSG’s rapid response capability is challenged relative to India’s geography and the NSG’s independent logistics capacity. In addition, the NSG may not testify in judicial proceedings.

Indian security agencies are effective in disrupting terror threats despite some gaps in intelligence and information sharing. In 2016, India and the United States signed an arrangement to exchange terrorism screening information, and India continues to work on implementation. Larger Indian states have established their own state-level Multi Agency Centers and provided near-real-time information on terrorism to Indian law enforcement agencies.

The U.S. government engaged with the Indian government to improve border security and information-sharing capabilities. India is in the process of improving its ability to detect and deter terrorist travel by using watchlists, implementing biographic and biometric screening capabilities at ports of entry, and expanding information sharing. Owing to resource constraints, Indian security forces have a limited capacity to conduct maritime security, although India’s ability to patrol its land border improved because of better coordination between border security forces and Indian law enforcement agencies. Bilateral capacity building is ongoing with Indian government personnel. Outreach training programs are ensuring Indian border security officials are collecting and using API and PNR to help identify malafide travelers.

Indian CT forces, at the federal and state levels, were active in detecting and disrupting transnational and regional terrorist groups, such as ISIS, its local affiliate ISIS-Bangladesh, and Jamaat-ul-Mujahideen Bangladesh (JMB). Between February and June 2019, Indian security forces detained nine suspected JMB and ISIS-Bangladesh terrorists from sites across India. The arrested individuals were allegedly planning attacks, ranging from jailbreaks to freeing imprisoned JMB and ISIS-Bangladesh members to attacking Indian security forces in the state of Jammu and Kashmir.

## **Chapter 85: Terrorism Redux**

Indian CT forces, at the federal and state levels, were active in detecting and disrupting transnational and regional terrorist groups, such as ISIS, its local affiliate ISIS-Bangladesh, and Jamaat-ul-Mujahideen Bangladesh (JMB). Between February and June 2019, Indian security forces detained nine suspected JMB and ISIS-Bangladesh terrorists from sites across India. The arrested individuals were allegedly planning attacks, ranging from jailbreaks to freeing imprisoned JMB and ISIS-Bangladesh members to attacking Indian security forces in the state of Jammu and Kashmir.

Following the April 2019 Easter bombings in Sri Lanka, the NIA conducted searches in Tamil Nadu and Kerala to investigate a suspected ISIS cell. One person was arrested in Palakkad, Kerala, on April 29 and admitted he was planning a suicide attack in Kerala.

**Countering the Financing of Terrorism:** India is a member of the FATF and of two FATF-style regional bodies: the Eurasian Group on Combating Money Laundering and Financing of Terrorism (EAG) and APG. India's FIU is a member of the Egmont Group. There were no significant updates in 2019.

**Countering Violent Extremism:** In 2019, four Indian states (Andhra Pradesh, Kerala, Maharashtra, and Telangana) formulated CVE strategies. Indian programs continued to target disaffected sectors of Indian society that were at the highest risk of vulnerability for terrorist radicalization and recruitment. Indian government officials remain concerned about the use of the internet for terrorist purposes – including social media and messaging apps such as WhatsApp – as well as for fomenting inter-religious tension. India's law enforcement officers discussed emerging threats and steps to prevent online terrorist recruitment and radicalization with representatives from global social media companies on a regular basis. Indian officials reported online terrorist radicalization in conflict-free zones, particularly in southern Indian states, throughout the year. India's approach focused heavily on content removal and even shutting down internet access in certain regions. Mumbai remains the only Indian participant in the SCN.

**International and Regional Cooperation:** India is a founding member of the GCTF and participated in the GCTF, the ASEAN Regional Forum, and other UN fora on counterterrorism in 2019. India continued to use multilateral fora and bilateral visits to highlight terrorism concerns and impacts. India also continued to lead efforts to condemn terrorism and urge tangible steps against the threat in meetings of ASEAN. In November, India hosted the first Counterterrorism Table-top Exercise in the Quad country format (the United States, Australia, India, and Japan). U.S. Special Forces continued an annual exercise in Washington State alongside Indian Special Forces, which focused on CT operations in an urban environment, and also conducted a Joint Combined Exercise Training with the NSG in Hyderabad.

## **Chapter 86: Counter Terrorism and Counter Radicalisation (CTCR)**

Division (Section-wise work allocation) 1. CT-I Section: 1. Administration of Unlawful Activities (Prevention) Act, 1967 (UAPA). 2. Listing/ Un-listing of Terrorist organizations under First Schedule for UAPA, except the Organizations active in North Eastern Region, Left Wing Extremism affected regions and Jammu & Kashmir. 3.

Policy matters related to Counter Terrorism. 4. Handling the inputs on the activities of terrorist organizations. 5. Advisories to States/ UTs on terrorism related issues. 6. Monitoring the growth of Madrasas on Indo-Nepal and Indo-Bangladesh border. 7. Matters related to ISIS/ISIL/DAESH. 8. All matters relating to Joint Working Groups on Counter Terrorism with foreign countries. 9. Nomination of officers for meetings, seminars, workshops on counter terrorism in India and abroad. 10. Handling the Intelligence reports received from the R&AW, IB, NSCS, CAPFs, MEA and MoD. 11. Matters relating to Joint Intelligence Committee (JIC). 12. Home Minister / Home Secretary level talks with Pakistan on terrorism under the composite dialogue process. 13. Media campaign on Counter Terrorism. 14. Action Plan for Counter Radicalization and De-Radicalization. 15. Applications and Appeals under RTI Act relating to above items of work. 16. Parliament Questions / matters relating to above items of work. 17. Court cases relating to above items of work. 2. NIA Section: 1. Administration of NIA Act, 2008. 2. Administrative and Financial matters of NIA. 3. Statutory matters under NIA Act: i. Transfer/entrusting of cases to NIA for investigation. ii. Designation of NIA Special Courts (Section 11). iii. Appointment of PPs, SPPs for NIA (Section 15). iv. Sanction of Prosecution for prosecution of NIA officers (Section 18). v. Making rules for carrying out provisions of NIA Act (Section 25). vi. Appointment of Authority under UAPA (Section 45). vii. Sanction for prosecution to NIA under UAPA. viii. Notification of 'Designated Authority' under UAPA. ix. Processing of proposals received from NIA for consideration of the 'Designated Authority' (Section 25). 4. Applications and Appeals under RTI Act relating to above items of work. 5. Parliament Questions/ matters relating to above items of work. 6. Court cases relating to above items of work. 2 | P a g e 3. CT-II Section: 1. Coordination work of CTCR Division. 2. Capacity Building issues of the States/ UTs on Counter Terrorism. 3. Comments on Agreements/ MoUs proposed to be signed by Agencies/ Government bodies with foreign agencies/ countries, received in the Division. 4. Comments on draft Cabinet Notes, received in the Division. 5. Nomination of candidates against MBBS seats from Central Pool for the children / spouse of civilian terrorist victims. 6. Handling of complaints/ references regarding terrorism. 7. Grievances received on PG portal relating to the Division. 8. Banning of the Liberation Tigers of Tamil Eelam (L.T.T.E.) under the Unlawful Activities (Prevention) Act, 1967. 9. Applications and Appeals under RTI Act relating to above items of work. 10. Parliament Questions/ matters relating to above items of work. 11. Court cases relating to above items of work. 4. CFT Section: 1. Policy matters on Combating Financing of Terrorism (CFT). 2. Designation of individuals/entities under UN Sanctions list under UNSCR 1267. 3. National Risk Assessment on terrorist financing. 4. Assets/Accounts Freezing Mechanism under section 51(A) of UAPA. 5. All matters relating to Financial Action Task Force (FATF), Asia Pacific Group (APG), Eurasian Group (EAG), G-20, BIMSTEC and other / international/regional bodies on terrorist financing. 6. Issues relating to Economic Intelligence Council / CEIB on CFT and FICN. 7. Issues relating to Fake Indian Currency Notes (FICN). 8. All General Complaints, PMO references, VIP reference, President's Sectt references on terrorist financing/FICN issues. 9. Applications and Appeals under RTI Act relating to above items of work. 10. Parliament Questions/ matters relating to above items of work. 11. Court cases relating to above items of work.



## **Chapter 87: A Spotlight on Terrorism in India**

Easy access to sophisticated weapons and disruptive advances in technology, especially the cyber world masks the identity of the terrorists, facilitates real time secure communications and the flow of funds and provides access to an infinite resource of DIY kits on issues ranging from making bombs to executing beheadings.

These elements have collectively made terrorism the most preferred means of waging war. Despite the grave threat, the international community is far from reaching a consensus on how to fight this menace collectively.

So deep are the fissures that even adopting a common definition of terrorism and violent extremism has met stiff resistance.

## **Chapter 88: The history of terrorism in India**

India's tryst with terrorism and violent extremism can be traced back partly to the religion based partition in 1947, which ripped the sub-continent into two nations: India and Pakistan.

The sub-continent remained witness to the most horrifying ethnic riots in modern history, which were marked by extreme violence and acts of terrorism.

Following the partition, after a brief period of neutrality, the then Maharaja of Jammu and Kashmir (J&K), Hari Singh formally acceded to India; however, this act of accession has not, and continues not to be recognised by Pakistan which lays claims to the Muslim majority region.

This territorial dispute lies at the core of the long standing conflict between the two nations with both nations each vehemently rejecting the other's claims.

Further, India views Pakistan as perpetuating the on-going cross border conflict and for sponsoring militant activity in a bid to destabilise the state of J&K and other parts of the country.

**In addition, considering the number of ongoing insurgencies in India, terrorism and violent extremism is also a manifestation of:**

- politico-religious violence
- ethnic-sub regional nationalism
- socio-economic conditions
- politics of identity

## **Chapter 89: Terrorism in India, can be broadly categorised in three distinct parts:**

- Cross border terrorism in J&K.
- Terrorism in the hinterland.
- Extreme violence and terrorism as an integral part of the ongoing insurgencies.

*India's richly diverse society provides a fertile ground for terrorism to thrive in many areas:*

- politics of communalism and criminalisation
- fanatic religious movements and irresponsible statements by political and religious leaders
- human rights excesses
- marginalised minority communities
- high levels of youth unemployment
- poverty
- illiteracy
- poor governance
- prolonged delays in criminal justice

Quite often, incidents relating to a particular religious or ethnic group act as a catalyst. They also act as an initiator to indoctrinate/ radicalise youth (and not necessarily only the poor and marginalised) to indulge in extreme forms of violence and terrorism.

Considering the fact that intensity of violence due to religious terrorism has always been very severe, strict law should be framed expeditiously against those delivering 'hate speeches' that incite a religious/ ethnic community's passions.

India also remains highly vulnerable to terrorism by foreign terrorists, due to porous borders with all its neighbours and a long coast line. Resultantly, the terrorists and the insurgents continue to receive material support and funds from many sources.

*India has experienced almost all forms of terrorist attacks:*

- hijacking and blowing up of aircrafts
- sabotaging railway tracks
- kidnapping hostages for meeting political demands
- suicide attacks
- the assassination of two of its Prime Ministers
- attacks on places of worship, transportation systems, security forces and financial hubs
- communal riots followed by extreme violence
- attacks both by religious and non-religious terrorist groups.

## **Chapter 90: Counter Terror Strategies**

India has emerged as one of the world's most consistent targets of Islamist militants. Although the Mumbai attacks of November 2008 attracted the most global attention, they were merely the most recent and dramatic in a series of

bloody terrorist incidents throughout urban India. On July 11, 2006, for example, terrorists planted seven bombs on the Suburban Railway of Mumbai, causing the deaths of more than 200 people. The November 2008 attacks, however, brought into clear focus the inability of the Indian security apparatus to anticipate and appropriately respond to major terrorist incidents. As one prominent analyst wrote, the government's responses to the Mumbai attacks were "comprehensive failures from the point of view of India's security establishment" <sup>1</sup>. While some Indian analysts and politicians prefer to focus on Pakistan's role as a haven for a variety of militant groups, it is clear that India needs to dramatically enhance its domestic counterterrorism infrastructure. Improvement will require significant infusions of resources, policy consistency, and political will that are often lacking in India.

This article outlines the current structure of counterterrorism policy in India, and then assesses some possible reforms. Thoroughgoing institutional reform in India will be challenging. The country suffers from a fragmented and inefficient bureaucracy, far fewer resources than developed countries even though it faces a higher threat level, and a political elite focused primarily on electoral politics. It is likely only a matter of time before another significant terrorist attack occurs. Nevertheless, focusing on a series of substantial but distinct tasks, with the support of India's international partners, can slowly but steadily improve India's counterterrorism capabilities.

### **Domestic Structure and Capabilities**

India's police and internal security system is highly fragmented and often poorly coordinated. The country's federal political system leaves most policing responsibilities to the states, which usually possess their own counterterrorism and intelligence units. These forces, especially local police, are often poorly trained and equipped. Local personnel are frequently hired on the basis of political patronage and are notorious for high levels of corruption.

There is also a variety of central investigative, law enforcement, and intelligence agencies. The Ministry of Home Affairs includes the Intelligence Bureau, Central Reserve Police Force, Indian Police Service, and new National Investigation Agency, while the Research and Analysis Wing and Central Bureau of Investigation are answerable to the prime minister <sup>2</sup>. The military—which is primarily geared toward foreign threats, including terrorism—also generates intelligence with relevance to domestic terrorism, and there is a centrally controlled National Security Guard (NSG) that specializes in hostage and terrorist attack situations.

### **Chapter 91: More Ado about Counter Terrorism Strategies**

India has emerged as one of the world's most consistent targets of Islamist militants. Although the Mumbai attacks of November 2008 attracted the most global attention, they were merely the most recent and dramatic in a series of bloody terrorist incidents throughout urban India. On July 11, 2006, for example, terrorists planted seven bombs on the Suburban Railway of Mumbai, causing the deaths of more than 200 people. The November 2008 attacks, however, brought into clear focus the inability of the Indian security apparatus to anticipate and appropriately respond to major terrorist incidents. As one prominent analyst wrote, the government's responses to the Mumbai

attacks were “comprehensive failures from the point of view of India’s security establishment”<sup>1</sup>. While some Indian analysts and politicians prefer to focus on Pakistan’s role as a haven for a variety of militant groups, it is clear that India needs to dramatically enhance its domestic counterterrorism infrastructure. Improvement will require significant infusions of resources, policy consistency, and political will that are often lacking in India.

This article outlines the current structure of counterterrorism policy in India, and then assesses some possible reforms. Thoroughgoing institutional reform in India will be challenging. The country suffers from a fragmented and inefficient bureaucracy, far fewer resources than developed countries even though it faces a higher threat level, and a political elite focused primarily on electoral politics. It is likely only a matter of time before another significant terrorist attack occurs. Nevertheless, focusing on a series of substantial but distinct tasks, with the support of India’s international partners, can slowly but steadily improve India’s counterterrorism capabilities.

### **Domestic Structure and Capabilities**

India’s police and internal security system is highly fragmented and often poorly coordinated. The country’s federal political system leaves most policing responsibilities to the states, which usually possess their own counterterrorism and intelligence units. These forces, especially local police, are often poorly trained and equipped. Local personnel are frequently hired on the basis of political patronage and are notorious for high levels of corruption.

There is also a variety of central investigative, law enforcement, and intelligence agencies. The Ministry of Home Affairs includes the Intelligence Bureau, Central Reserve Police Force, Indian Police Service, and new National Investigation Agency, while the Research and Analysis Wing and Central Bureau of Investigation are answerable to the prime minister<sup>2</sup>. The military—which is primarily geared toward foreign threats, including terrorism—also generates intelligence with relevance to domestic terrorism, and there is a centrally controlled National Security Guard (NSG) that specializes in hostage and terrorist attack situations.

### **Chapter 92: Domestic Structure and Capabilities**

India’s police and internal security system is highly fragmented and often poorly coordinated. The country’s federal political system leaves most policing responsibilities to the states, which usually possess their own counterterrorism and intelligence units. These forces, especially local police, are often poorly trained and equipped. Local personnel are frequently hired on the basis of political patronage and are notorious for high levels of corruption.

There is also a variety of central investigative, law enforcement, and intelligence agencies. The Ministry of Home Affairs includes the Intelligence Bureau, Central Reserve Police Force, Indian Police Service, and new National Investigation Agency, while the Research and Analysis Wing and Central Bureau of Investigation are answerable to the prime minister<sup>2</sup>. The military—which is primarily geared toward foreign threats, including terrorism—also

generates intelligence with relevance to domestic terrorism, and there is a centrally controlled National Security Guard (NSG) that specializes in hostage and terrorist attack situations.

The combination of state and central authorities is ostensibly coordinated through joint committees, task forces, subsidiary intelligence bureaus, and a multi-Agency Centre. All of these coordinating mechanisms aim to harmonize the intelligence gathered by these agencies and to generate shared threat perceptions and associated responses, but they are often slow and cumbersome. States and the central agencies frequently compete over resources and bureaucratic autonomy, and they both do a highly uneven job of cooperating with one another <sup>3</sup>. In addition to these organizational challenges, many of the security institutions at all levels of government are understaffed, undertrained, and technologically backward <sup>4</sup>.

All of these pathologies were evident in the failure to prevent or appropriately respond to the Mumbai attacks <sup>5</sup>. There was in fact significant intelligence suggesting a seaborne terrorist attack was likely, and even that prominent sites such as the Taj Hotel would be targeted. This information, however, was ignored by several key bureaucratic actors—including the Coast Guard and the Maharashtra state director-general of police—because it was deemed unactionable <sup>6</sup>. Others, such as the Maharashtra Anti-Terrorism Squad, at least attempted some kind of preparation <sup>7</sup>. The differences in readiness highlight the extent of fragmentation among the security apparatus. Even when Mumbai police tried to take preventive action, they lacked the manpower to sustain increased security at the hotels. Once the attack occurred, the security forces did not have sufficient night-vision equipment, heavy weaponry, or information about the attack sites, leading to a long response time and the emergence of a disastrous siege <sup>8</sup>.

Previous attempts at reform and improvement have been largely inadequate—politicians have made sweeping rhetorical claims, juggled personnel at all levels, and repeatedly promised better coordination at the national level, but key capacity has not improved. Mumbai finally triggered the resignation of Union Home Minister Shivraj Patil, on whose watch a series of previous attacks had occurred. Yet Patil's resignation and his replacement by the more competent Palaniappan Chidambaram (who worked on internal security under Rajiv Gandhi) marks only the beginning of the necessary changes. India faces a “dire need to redress its numerous deficiencies in its internal security arrangements” <sup>9</sup>.

## **Chapter 93: More about Terrorism**

### **The Nature of the Threat: Domestic and Foreign**

One common response to India's counterterrorism failures has been a quick acknowledgement of domestic weaknesses, followed by a far more vocal demand to “get tough” on Pakistan. While Pakistan's role as a sanctuary (both voluntary and involuntary) for militants is indisputable, India's options are relatively limited. The coercive diplomacy following the December 13, 2001 attack on the Indian Parliament, named Operation Parakram, did not

prevent Pakistan's continued patronage of Lashkar-i-Tayyiba and other militant groups operating in Kashmir<sup>10</sup>. Pakistan's nuclear weapon "shield" makes credible Indian coercive diplomacy difficult.

India's current government has learned this lesson well, and instead engaged in a coordinated diplomatic offensive that has brought at least rhetorical results. Military threats against Pakistan are unlikely to bear fruit, while even successful diplomacy will have a limited impact<sup>11</sup>. Pakistan simply lacks the capacity, and probably the will, to engage in the kind of domestic policies that will significantly lessen the threat posed to India. Improving India's internal security apparatus must therefore be the primary focus of Indian security and political elites<sup>12</sup>. In addition to Pakistan, India also faces cross-border terrorism from Bangladesh. Attacks attributed to jihadist groups such as Harkat-ul-Jihad-al-Islam (HuJI) are believed to have been launched from the country. Bangladesh's political instability and weak state capacity, however, make it difficult for India to consistently shape Bangladeshi counterterrorism policy.

In addition to the limits of putting pressure on Pakistan and Bangladesh, a number of major attacks have been carried out with significant help from Indian Muslims under the aegis of the Indian Mujahidin (IM). This clearly shows that the problem is not simply one of containing Pakistan<sup>13</sup>. The Indian police and intelligence agencies were forced to scramble in the wake of bombings in Jaipur, Delhi, Uttar Pradesh, and elsewhere claimed by the IM, which revealed a significant indigenous capability for terrorism. Bolstering domestic intelligence will become increasingly central if a trend of radicalization continues among small, but potentially growing portions of India's Muslim community. Although there have been pockets of radicalization uncovered as far south as Kerala, on balance it seems that urban areas of north and west India have been the primary recruiting grounds for Islamist radicals<sup>14</sup>.

Therefore, India faces threats spilling out of porous borders and weak governments both to the east and to the west. These foreign threats coalesce with a troubled internal security apparatus and some level of domestic radicalization to create a dangerous situation.

## **Chapter 94: The Path Forward: Coordination and Capacity-Building**

The major domestic response to Mumbai has been an emphasis on streamlined coordination between agencies across state and federal lines, and the creation of a new National Investigation Agency (NIA)<sup>15</sup>. The aim of the NIA is to empower a federal agency to investigate major crimes such as terrorism and organized crime without having to be asked to do so by the states. There will be special courts that can rapidly hear terror-related cases<sup>16</sup>. The NIA will be filled out by new staff drawn from existing intelligence and law enforcement agencies throughout India. An infusion of funding and personnel into the overall security apparatus has also been promised, and the NSG has been deployed throughout the country to offer a quicker response to future attacks<sup>17</sup>. These steps represent a useful

beginning. These efforts on their own, however, will lead to little substantive results unless they have three major characteristics.

First, they will need to be sustained over a long period of time. Dramatically bolstering the institutional capacity of India's counterterrorism apparatus is a task of at least half a decade, and probably longer<sup>18</sup>. The training of new and current personnel alone is an enormous task, much less properly equipping them. A new federal agency or set of laws will contribute little to this fundamental task unless they are able to sustain the momentum necessary for years of unglamorous but crucial training and institution-building. Locking in lines of budgetary approval over a 5-10 year period will be critical to avoid the effort falling victim to the vicissitudes of domestic politics and elections.

Second, reform efforts must be properly resourced. India is a poor country with many pressing needs, and security funding reflects India's lack of wealth. Compared to the budgets of even much smaller developed countries, India simply does not provide sufficient money for its security agencies on a per capita basis<sup>19</sup>. This causes them to undertrain and understaff their personnel, leading to corruption and a reliance on crude and often counterproductive policing techniques. International assistance, in the form of grants for training and equipping police forces, could reduce the impact of this reform on India's budget. In the current economic environment, large-scale international aid is unlikely, but small measures could make a significant difference, particularly if focused on the cities most likely to be attacked in the future (Delhi and Mumbai).

Finally, India's political leadership must exert the will to push past bureaucratic and state-centric rivalries. This is an enormous challenge for a political class focused above all else on the cut-throat electoral competition that characterizes Indian politics. Despite these challenges, maintaining a degree of consistency and follow-through is essential so that the reform process does not stall or end up wasting huge amounts of time and money. Government ministers must not allow themselves to be used as pawns in bureaucratic battles over turf, resources, and responsibilities. Specialized task forces led by elected officials, and supported at the highest levels, must be given the power to engage in oversight over the security apparatus. This will involve overcoming a traditional aversion to transparency on the part of the police and intelligence agencies.

Given these deep challenges, the Indian leadership is best advised to manage a pair of distinct projects—first, building on the short-term changes in coordination that can leverage existing assets and capabilities, and second, engaging in the much lengthier and broader task of improving training and technical capacities across India's security apparatus. Conflating the two into one grand reform agenda is likely to slow both down and undermine the overall effort. India must pursue a series of discrete, manageable tasks if it is to fortify itself against the threats flowing both from across the border and from among its own population.

## **An American Role**

The United States can play a helpful role in bolstering India's counterterrorism capabilities <sup>20</sup>. There has already been extensive cooperation between the U.S. Federal Bureau of Investigation and Indian security services in the wake of Mumbai, illustrating the dramatic improvement in Indo-U.S. relations <sup>21</sup>. There has also been increased intelligence sharing with India, most of it obviously related to Afghanistan and Pakistan.

The relationship should move beyond investigative collaboration and intelligence sharing into a broader project of training and capacity building. One of the traditional strengths of the U.S. law enforcement establishment has been training other countries' police and domestic intelligence forces. India would benefit enormously from even a small, but sustained program bringing Indian police to the United States for training, and sending American trainers to India to lecture on successful practices. This could be a small program aimed at providing specialized training to state and federal police.

Even basic training would have a broader effect of increasing the professionalism of India's domestic security forces. In addition to helping to prevent and respond to terrorist attacks, increased professionalism might reduce the resentment of the security forces in parts of the Indian Muslim community, which perceive the police as indiscriminate and brutal <sup>22</sup>. Small but meaningful grants could also be provided for training and equipping police forces.

## **Chapter 95: The November 2008 deadly terrorist assault**

The November 2008 deadly terrorist assault (ABC News) on Mumbai's hotel district and a spate of bomb attacks (BBC) across India's cities the same year have claimed hundreds of lives and once again raised questions about India's vulnerability to terrorism. According to the latest report on global terrorism by the U.S. government's National Counter-Terrorism Center, more than one thousand people died in India because of terrorist attacks in 2007, ranking India fourth behind only Iraq, Afghanistan, and Pakistan. India, a nation of a billion people, has been confronted with terrorism since its birth, and currently contends with a variety of regional groups mainly intent on separatism.s

### **Why is India the target of so many terrorist attacks?**

India is embroiled in a number of low-intensity conflicts throughout its territory. Many terrorist incidents are the products of these clashes. The regions most affected are:

### **More From Our Experts**

Bruce Hoffman

A Year After January 6, Is Accelerationism the New Terrorist Threat?



Farah Pandith

The U.S., Muslims, and a Turbulent Post-9/11 World

Raymond W. Kelly

Securing the Sochi Olympics: Three Things to Know

- **Jammu and Kashmir.** Located at the northern tip of India's territory, this state has been the focal point of a territorial dispute dating back to 1947—when British colonial rule ended—involving India, Pakistan, and China. India claims the entire region as its sovereign territory, though it controls only about half of it. A third of the land is controlled by Pakistan, and China controls the remainder. The quarrel between India and Pakistan has touched off a number of military showdowns. Since the late 1980s, the region has been home to a number of militant groups seeking independence for the region. Experts say these groups have extensive support networks in Pakistan, and some accuse Pakistan of using these insurgent groups to wage a proxy war in the region. Over the last decade, this conflict has been linked to some two-thirds of all fatalities from terrorist attacks in India.
- **Andhra Pradesh.** Andhra Pradesh state along the Bay of Bengal coast has endured a number of attacks linked to a group known as Naxalites. Named for the town of Naxalbari where their movement began in 1967, Naxalites are revolutionary communists. Though not all are militant, Human Rights Watch estimates some 10,000 are members of armed militias, which continue to wage a low-intensity insurgency that claims hundreds of Indian lives every year. In areas under Naxalite control "people's courts" prosecute individuals deemed "class enemies" or "caste oppressors." The U.S. State Department reports Naxalite terrorism "is growing in sophistication and lethality and may pose a significant long-term challenge." Indian officials have reportedly organized vigilante groups to help oppose Naxalite influence, and human rights groups have criticized the government's methods. Over the years, the Naxalite influence has spread to thirteen of India's twenty-eight states. The swath passes through the woods and jungles of central India, where the group takes refuge and recruits from the region's impoverished population. The states of Andhra Pradesh, Bihar, West Bengal, Jharkhand, and Orissa have witnessed high levels of Naxalite activity, but Chhattisgarh witnessed the most Maoist-related violence in 2006 with more than 360 deaths.

## **Chapter 96: Countering the Menace of Terrorism**

### **What groups are involved in terrorism in India?**

There are scores of insurgent and terrorist groups operating in the country. Those recognized by the U.S. State Department as Foreign Terrorist Organizations (FTO) or other "groups of concern" are:

*More on:*

## **Terrorism and Counterterrorism**

### **India**

- **Lashkar-e-Taiba** (LeT), whose name means "Army of the Pure," is a militant Islamist group operating in Pakistan as well as in Jammu and Kashmir. The group reportedly received funding from Pakistan's intelligence services until 2001, when the United States designated it an FTO and Pakistan froze its assets. LeT, which has ideological, but unconfirmed operational ties to al-Qaeda, aims to win sovereignty for Jammu and Kashmir and spread Islamic rule across India. The group is blamed for some of the most high-profile terrorist attacks in India, including the July 11, 2006 bombing of the Mumbai commuter rail.
- **Jaish-e-Muhammad**, meaning "Army of Mohammed," is another Pakistan-based terrorist group operating in Jammu and Kashmir. Founded in 2000 by the former leader of the now-defunct group Harkat-ul-Ansar, Jaish-e-Muhammed seeks to drive India out of Jammu and Kashmir and transfer control of the region to Pakistan.
- **Harakat ul-Mujahadeen** (HuM), or the "Islamic Freedom Fighters' Group," was founded in 1985 as an anti-Soviet group fighting in Afghanistan. When Soviet forces withdrew in 1989, the Pakistan-based HuM shifted its focus to Jammu and Kashmir. HuM seeks to battle "anti-Islamic forces" and its members have helped carry out operations as far away as Myanmar, Tajikistan, and Bosnia.
- **The Communist Party of India (Maoist)\*** was formed by a merger of Naxalite groups in 2004 after talks between the Indian government and the leftist militants broke down. The group seeks to establish a "revolutionary zone" of control extending from the Nepalese border down to the southern part of Andhra Pradesh that would ultimately become a sovereign state.
- **Harakat ul-Jihad-I-Islami** (HUJI) was founded in 1980 to fight Soviets in Afghanistan but has since concentrated its efforts in Jammu and Kashmir. HUJI, which is based in Pakistan and Kashmir, primarily attacks Indian military targets, but it is believed to be linked to the abduction and slaying of five Western tourists in Jammu and Kashmir in 1995.
- **Jamiat ul-Mujahadeen** is a small group of pro-Pakistan Kashmiri separatists operating in or near Pakistan. It is thought to be responsible for a pair of 2004 grenade attacks against political targets in India.
- **The United Liberation Front of Assam** (ULFA) has sought to establish an independent socialist state in Assam since its founding in 1979. In the 1990s, ULFA's attacks on political leaders, security forces, and infrastructure provoked a harsh response from the Indian government, causing it to lose some support among the residents of Assam. The U.S. State Department reports a December 2003 attack on a ULFA base by Indian forces caused the group's numbers to drop from more than 3,000 to several hundred.

### **Chapter 97: What agencies are responsible for fighting terrorism in India?**

A number of intelligence, military, and police organizations within the Indian government contribute to counterterrorism efforts. These include state-run police forces, special security forces to guard airports and

other high-profile targets, and paramilitary forces that patrol the borders and assist the police when necessary. These paramilitary groups, such as the 165,000-strong Central Reserve Police Force, have been accused of committing human rights violations, especially in Kashmir, where they are particularly active. The army usually participates in counterterrorism operations as a last resort, though in Jammu and Kashmir they play a more consistent role. India's closest structural equivalent to the U.S. Department of Homeland Security is the Ministry of Home Affairs, which oversees national police, paramilitaries, and domestic intelligence gathering.

#### Daily News Brief

***A summary of global news developments with CFR analysis delivered to your inbox each morning. Most weekdays.***

Email Address

[View all newsletters >](#)

India has several intelligence agencies that monitor terrorist activities. The Research and Analysis Wing (RAW) is the external intelligence agency and the Intelligence Bureau (IB), a division of the Home Affairs Ministry, collects intelligence inside India. A Joint Intelligence Committee analyzes intelligence data from RAW and IB as well as from a handful of military intelligence agencies, which usually provide tactical information gathered while carrying out counterterrorist operations.

The IB oversees an interagency counterterrorism center similar to the CIA. The Ministry of External Affairs oversees its own counterterrorism body, much like the U.S. State Department, which oversees diplomatic counterterrorism functions such as briefing other nations on suspected Pakistani sponsorship of terrorism in India.

#### **How does the government react to terrorist attacks?**

Experts say the government's response to terrorist attacks have been episodic; soon after an attack the government appears to take short-term measures. "India lacks a coherent strategic response to terrorism; there is no doctrine (*BusinessWeek*), and most of our responses are kneejerk," says retired Major General Sheru Thapliyal, who works at the Center for Land Warfare Studies in New Delhi.

Indian security officials usually focus their investigations on the country's Muslim minority following such attacks. India is home to 150 million Muslims, the second largest Muslim population in the world. But a large percentage of them feel disadvantaged and discriminated against by the government and the security forces.

### **How have India's counterterrorism agencies performed?**

Some Indian journalists called the July 11 Mumbai bombings a failure of the country's intelligence community. Stephen P. Cohen, a senior fellow at the Brookings Institution, says that within the ongoing debate over the effectiveness of India's counterterrorism apparatus, "there's general agreement that the old institutions can't cope with the new pressures." Wilson John, a senior fellow with the Observer Research Foundation in New Delhi, writes in the *Terrorism Monitor* the problem is an intelligence structure which has yet to emerge from its "debilitating colonial legacy and a complementary stranglehold of bureaucracy." John argues the state police and intelligence units are mostly structured as agencies to protect law and order and spy on rivals rather than act as investigative and intelligence units. He says there is reluctance, and even refusal, to share information among the intelligence and security agencies.

Others counter that the intelligence agencies are performing well, but politicians too often shy away from making tough security decisions for fear of angering their constituents. Jeevan Deol, a lecturer in South Asian studies at the University of London, says, "There may well be occasions where elected politicians may not see it in their interest to isolate insurgent groups." He says their actions are nothing "too unusual for an elected democracy."

India's counterterrorism measures have often been the subject of appeals by human rights organizations. Deol says Indian officials have a higher tolerance for collateral damage than counterterrorism authorities in many other nations. In an example of such tactics, he says, "Agencies and arms of the state have been accused of turning a blind eye in order to run rival gangs that would be tasked with killing other insurgents, but would also kill innocent people." Such tactics have been effective in the past, says Cohen, but only when coupled with political accommodation.

### **Chapter 98: Anti-Terrorism Legislation**

Not anymore. In 2002 India passed the Prevention of Terrorism Act (POTA), expanding the government's powers in combating terrorism. Some measures, such as the ability to keep terror suspects in custody without bringing them to trial, met with objections, and the law was repealed in 2004 after allegations that officials were abusing their powers. However, after the recent spate of bombings, some Indian politicians are calling for the law to be restored.

Some Indian states such as Karnataka and Maharashtra have other laws, Maharashtra Control of Organized Crime Act (MCOCA) and the Karnataka Control of Organized Crime Act, that are used to try suspected terrorists. The MCOCA was also extended to Delhi in 2002. Some lawyers have alleged that MCOCA is even more draconian than POTA and has often been misused by the investigative agencies. Other states like Rajasthan, Gujarat, Andhra Pradesh and Uttar Pradesh are also seeking similar anti-terror laws.

### **Chapter 99: What is Organized Crime?**

India is one of the oldest civilisations with a kaleidoscopic variety and rich cultural heritage. It covers an area of 32.87,263 sq. kms extending from the snow covered Himalayan heights to the tropical rain forests of the south. As the seventh largest country in the world, India is well marked off from the rest of Asia by mountains and the sea, which give the country a distinct geographical entity. It has a land frontier of 15,200 kms and a coast line of 7,516 kms. In 1996, India's population was 931.9 million. Apart from English and Hindi, India has 17 other official languages recognised by the Constitution. India is a Union of States and is governed by a written Constitution which came into force on 26th November, 1949. It consists of 25 States and 7 Union Territories. Due to its colonial heritage, India follows the Anglo-Saxon common law system. Article 14 of the Constitution provides for equality before the law. Article 21 guarantees protection of life and personal liberty. Article 20 provides protection against double jeopardy. Article 39-A mandates the State to secure equal justice for all. Article 50 provides for separation of the judiciary from the executive in the public services of the State. 'The Police' and 'Public Order' are in the State List but the 'Criminal Laws' and 'Criminal Procedure' are in the Concurrent List. Resultantly, the basic criminal statutes, namely, India Penal Code, 1860; Criminal Procedure Code, 1973.

### **Chapter 100: Crime Scenario In India**

Crime Scenario In India Before I come to the subject of organised crime proper, it would be useful to have 83 108TH INTERNATIONAL SEMINAR VISITING EXPERTS' PAPERS some idea about the general crime situation prevailing in the country. India, the land of Lord Budha and Mahatma Gandhi, is growing into a violent society. The violent crimes that constituted only 8.2 per cent of the total crimes registered under Indian Penal Code (IPC) in 1953 increased to 14.4% in 1994. Gulshan Kumar, a Bombay music magnate with Rs. 800 crore empire, was shot dead last year as he refused to pay a large sum of money demanded by Dawood Ibrahim gang. This was preceded by killings of several Bombay industrialists and politicians. 48 persons in 1995 and 71 persons in 1996 were lynched in West Bengal by the public. 61 Harijan were killed in Jehanabad District (Bihar) in caste based violence last month. The caste and communal strife claimed 511 lives in 1997, with 3701 injured. The kidnappings for ransom of rich industrialists, businessmen, top professionals and their wards are lucrative for the criminal groups in the metropolitan cities. Delhi witnessed 40 such incidents in 1994; 43 in 1995 and 23 in 1996. Brutal attacks by the domestic servants of lonely housewives and old couples for looting are a recurring phenomenon in Delhi. A Benaras businessman was kidnapped by a gang headed by a Member of State Legislature and even after extortion of a huge ransom, he was killed lest he approach the police and reveal the gang's identity. Terrorist crimes have also taken their toll in terms of human casualties and damage to public property. 308 bomb explosions in 1997 left 197 people dead and 1109 injured. Delhi city alone witnessed 26 such incidents last year. The crime scenario is, thus, rather grim. Table I shows the incidence and the rate of cognizable crimes under IPC and Special and Local Laws (SLL) from 1986 to 1996: IPC crime, in absolute number, remained at about 1.6 million since 1990 but the SLL crime is increasing rapidly. In 1996, IPC crime constituted 27.1% of the total crime registered. Over the decade 1986-96, the IPC crime increased by 19.2% but the SLL crime increased by 39.8%.

## **Chapter 101: Organized Crime: More About it**

### **Criminal - Politician Nexus:**

The base of organized crime is provided by the deadly combination of criminals and politicians. Criminals themselves take up the role of politicians is not an altogether unusual phenomenon.

One area where such a nexus is most dangerous and quite prevalent is the one relating to the elections to parliament, state assemblies and local bodies.

Ill gotten money is pumped into the elections and booth-capturing and rigging by the mafia are quite common.

In the Panchayat election held in 1994, out of 75,000 Gram panchayats more than 50% of candidates were reported to have had criminal history.

In 1993, the Govt of India appointed a committee under a chairmanship of N.N. Vohra, cabinet secretary, **to take stock of all available information about the criminal syndicates / mafia organizations which has developed links with and were being protected by govt., and political personalities.**

This was apparently done in the aftermath in the serial Mumbai bomb blast occurring shortly after the demolition of Babur Mosque in Ayodhya, for which certain Dons of the underworld, both within and outside India were believed to be responsible.

The committee examined the reports of the secretary, Research and Analysis Wing (RAW) , CBI and Intelligence Bureau (IB) for an appraisal of the situation and to suggest various measures to curb the joint criminality of the mafia, politicians and bureaucrats. Though the submissions of the directors of the RAW, CBI and IB did not bring out anything not known earlier or any tangible specific solutions were offered, the official committee at least acknowledged the existence of an nexus between the dons of the criminal world and the politicians.

The nexus between the criminal gangs, the police, the bureaucracy and politicians has become evident in various parts of the countries. The existing criminal justice system, which was essentially designed to deal with Individual offences/ crimes is unable to deal with the activities of the mafia. The provision of the law in regard to the economic offenses are weak; there are insurmountable legal difficulties in attaching the property acquired through mafia activities.

The director of IB noted the **warning signals of sinister linkage between the underworld politicians and bureaucracy** and recommended immediate attention to:

1. Identification of the nexus between the criminals /mafias and anti-national elements on the other hand and burucrats , politicians and other sensitively located individuals on the other.
2. Identification of the nature and dimensions of these linkages and the modus of the operandi of their operations.

#### **Characteristics of Organized Crime:**

1. In organized crime there is a group of persons of considerable size which engage themselves in continuous crimes over a long, usually indefinite period.
2. It tends to dominate, through political cloud or corruption, the law enforcement agencies.
3. The organization is generally highly centralized; The authority is vested in one or just a few members of the group.
4. Functioning of the mafia in the US has been linked to the working of corporations and big business houses. There is division of labor, delegation of duties and responsibilities and the specialization of functions. Like any modern business, organized crimes also involved careful planning, risk insurance and have expansive and monopolistic tendencies.
5. Criminal organizations adopt measures to protect the group and to guard against the prevention of their activities. To this end, arrangements are made with doctors, lawyers, policemen, judges, politicians and government officials.

#### **Types Of Organized Crimes:**

Organized crimes is generally classified into following four major types:

##### **1. Organized gang criminality:**

- Bank robbery, hijacking, murder, kidnapping, automobile and jewel thefts are some of the common examples.
- India too as witnessed the organized gang criminality during last few years, particularly murders and kidnapping for ransom.
- Uttar Pradesh and Bihar, especially the later are the two states which are conspicuous in this regard. Dhanbad, the major coal-mining area, and west Champaran are the two prominent places as regards the mafia operates in Bihar.
- Gangsters Act by the UP Govt., in 1986 to meet the challenge of the mafia in the state was passed.
- A study of its (Gangsters act) implementation in 15 districts reveals that so far not even a single person as been convicted although 1,000 of persons were booked under the Act. In 80% of the cases even a charge could not be framed in the court. Where the charges were framed, the acquittal rate has been 100%.

##### **2. Racketeering:**

- Extorting money from legitimate or illegitimate business amounts to what is known as Racketeering.

- Illegal business like prostitution, gambling and drug trafficking are especially vulnerable to racketeering since they can't approach the police and other authorities for protection.
- In fact, money is demanded and paid as consideration for the protection given by a criminal group to the operation of the illegitimate business.
- Labor and trade unions provide extremely useful channels for the racketeers to accomplish their objectives. By capturing the unions organized criminals are in a position to exploit both employers and employees in business and industry; Unions providing the criminal leverage and facade to mafia leaders.
- Construction work through contracts is another area where organized criminals have taken their shares by employing political clout and muscle power.

### 3. **Syndicate Crime:**

- o This is the most significant area of organized crime and consist of the supply of illegal goods and services; smuggling, bootlegging, gambling, prostitution and foreign exchange violations are examples of such crimes.
- o There are frontmen at various levels executing the work assigned to them.
- o The Bosses generally function behind scenes from their well-appointed head quarters and that makes them somewhat immune from the enforcement authorities.
- o The worst aspect of the problem is that the money generated through illegal means is invested in legitimate business enterprises.

### 4. **Smuggling:**

- It is highly prevalent criminal activity in developing countries like India where the official position is to encourage local products and industries and to conserve maximum foreign exchange.
- Smuggling is the direct result of the import and export policy of the govt., of a country.
- India has a vast sea shore and a large border area along with the neighboring countries and the most vulnerable areas are Gujarat, Maharashtra, terai area of Uttar Pradesh, Punjab and the Eastern region. The main items smuggled into the country are synthetic fabrics, watches, electronic goods, gold and narcotic drugs. Items smuggled out of the country are foreign and Indian currency and snake skins.
- Among the items smuggled into the country, gold tops the list in terms of supply and demand.
- Trafficking in drugs is perhaps the most sinister of all the smuggling activities.
- The inter gang rivalry, of which Mumbai provides a typical example, generates violence of extreme severity leading to killings and counter-killings.
- The problems of drug traffic to and from India reached alarming dimensions during 1975 to 1985 and afterwards.
- **A no. of factors have contributed to this development; some of them being as given below:**



1. While the cultivation of opium has significantly reduced in India, the cultivation in Pakistan went up by about 25% during the last few years. The situation in Afghanistan and the exodus of refugees into Pakistan also resulted in unprecedented glut of drugs, a good part of which found its way into India.
2. For Pakistanis it became safer to push drugs through India instead of carrying them directly to Western Europe in view of the greater vigilance on Pakistanis entering those countries. The period of early 1980s also synchronized with the beginning of the terrorism in Punjab. Around the same time, Chittagong in Bangladesh became an important place to receive drugs from the Golden Triangle; drugs reaching the eastern part of India being the next logical step.
3. Silver prices in India were much lower than elsewhere before 1983 and this led to a great deal of illegal export of silver from the country. The situation, however, changed after the prices of silver crashed in the international market in 1983 leading to the replacement of silver export by illegal export of narcotics.

#### **Responses to organized crime:**

1. Dealing with the issue of remedies against organized crime, one aspect to be kept in mind is that the problem is to be tackled by methods different from those employed in ordinary crimes.
2. This was aptly put by an Attorney General of US Innovative measures are necessary for the effective prosecution of organized crime cases because the traditional law-enforcement process is by and large designed for the control of individuals not for the control of organizations.
3. Two approaches are possible in dealing with the criminal organizations responsible for organized crimes.

#### **The Law enforcement perspective:**

- a. according to this approach, organized crime is the creation of certain distinct groups in society and the task is to deal with them by applying legal sanctions.
- b. This appears to be the basis of the approach of the President's Commission on law enforcement and criminal justice in the US.
- c. The commission identified the source of the organized crime in US in a society that seeks to operate outside the control of American people and their working govt.,. According to the commission, this society unites thousands of criminals who work together in complex organizational structures and are not subject to laws and rules that are more rigidly enforced than those of legitimate govt.

#### **The social and economic perspective:**

- a. According to some of the sociologists who studied the problem of organized crime in the US, the phenomenon is not an alien conspiracy but is a part of a social functioning or dis functioning and market economy.

- b. Effective economic strategies, sound policies regarding production and distribution, reducing the spread between profits and costs, place an major role in breaking up organized crime monopolies by creating legitimate markets through decriminalization or legislations.
- c. As regards the law-enforcement approach, besides the penal code which provides some basic principles relating to conspiracy, attempts, abetment and frauds, there are quite a few other enactments specifically designed to deal with the organized criminality. The Customs Act, Conservation Of Foreign Exchange and Prevention Of Smuggling Activities Act (COFEPOSA), Smugglers and Foreign Exchange Manipulators (Forfeiture Of Property) Act, and Foreign Exchange Management Act, 1999 are some of these enactments.
- d. By its nature, organized crime is not ordinarily confined to a single state in given situation and quite often investigation cut across various states. As of now, the center has no powers to investigate into the crimes committed in states. Even CBI can operate in a state only if concerned is given by the state.
- e. Since organized crimes are committed for economic gain, the punishment should relate to offsetting the ill-gotten gains and confiscation of property of convicted criminals is, therefore, an appropriate sanction.
- f. Under sec.31, Narcotic Drugs and Psychotropic Substances Act passed in 1985, very sever punishments are permissible in case of offenders having previous convictions to their credit.