

INTERNAL SECURITY



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1. INTERNAL SECURITY

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INTRODUCTION:

Overall security of a nation can be covered under 2 aspects:

Internal Security: is concerned with security against threats and challenges emanating from within a country's territorial bounds and has the potential to threaten public order and national security.

Threats to internal security may be directed at either the state's citizens, or the organs and infrastructure of the state itself, and may range from petty crime, serious organized crime, political or industrial unrest, or even domestic insurgency.

External Security: involves security against aggression by a foreign country and threats from outside the political boundary, to protect sovereignty, integrity and territorial unity of the nation.

In India, matters of internal security are handled by the Ministry of Home Affairs (MHA) and is the responsibility of state police, supported by paramilitary forces and armed forces, if needed. External security comes under the Ministry of Defence (MoD), and is the responsibility of the armed forces.

CLASSIFICATION OF THREAT

India's internal security is facing a threat from four major factors:

1. Internal factors
2. External factors
3. Internally aided external
4. Externally aided internal

But, often lines between these threats are blurred as multiple internal and external influences act together to threaten internal security.

E.g.: J&K militancy is aided externally by proxies and terror groups from Pakistan.

E.g.: insurgents in north-east misuse porous borders to evade armed forces and have an implicit support from China.

IMPORTANCE OF INTERNAL SECURITY

- **Secure territorial integrity and protect sovereignty:** security threats such as insurgency, militancy are secessionist and demand disintegration of the nation. To maintain unity and integrity, and sovereignty of people of India, it is essential to maintain internal security.
- **Maintenance of domestic peace, law and order:** so that the citizens are able to live in a peaceful organized society, maintained by law.
- **Establish Rule of Law and equality before the law:** every citizen is subjected to the law of the land, and that no one is above the law.
- **To protect the life and livelihood** of citizens and an absence of fear, ensuring fundamental rights to life and freedom of expression.
- Secure the **development of the nation** from damage by internal destructive forces such as insurgents, militants, criminals, etc.

CHALLENGES TO INTERNAL SECURITY OF INDIA

Ever since independence, India has been facing all types of violent conflicts based on religion, caste, language, ethnicity and regional loyalties. While India has inherited some problems like that of communalism or the issue of Jammu and Kashmir, internal security challenges have further become multi-faceted and multiplied post-independence.

Major internal security challenges India is currently facing are:

CROSS-BORDER TERRORISM	<ul style="list-style-type: none"> • The term ‘cross-border’ implies a movement or an activity across the border between the two countries. • Cross-border terrorism in India mainly occurs across India-Pakistan border and enjoys de-facto support of the unfriendly neighbour. • SATP (South Asia Terrorism Portal) has listed 180 terrorist groups that have operated within India over the last 20 years, with India witnessing terror attacks in multiple instances across the nation. • Many internationally designated terrorist entities and individuals Jamaat-ud Dawa (JuD), Lashkar-e-Taiba (LeT), Jaish-e-Mohammad, Hizbul Mujahideen are involved in terror activities against India with support from Pakistan’s ISI and its policy of ‘bleeding India through Thousand cuts’. • During the last 15 years, thousands of civilians have lost their lives in acts of terrorism, apart from thousands of defence, paramilitary and police personnel who have sacrificed their lives in the line of duty. E.g.: 26/11 Mumbai attacks, Pulwama attack, 2019.
J&K MILITANCY	<ul style="list-style-type: none"> • Separatist and militant insurgency started in late 80s. • Supported by Pakistan, it is intermixed with the issue of cross-border terrorism with many militant organizations having their base in PoK. • It has escalated into one of the most dangerous internal security issues for India.
INSURGENCY IN NORTH-EAST	<ul style="list-style-type: none"> • NE region has more than 500 different ethnic groups, with rich cultural heritage and a wide variety of customs and traditions. • Insurgency emerged in the region post-independence due to feeling of alienation, fear of losing their cultural identity, lack of development and connectivity, and the failure of successive governments to address the concerns of tribal population. • Today, the security situation in the region remains a complex problem with a number of militant outfits with diverse demands. • Assam, Manipur, Nagaland have continuously been a point of worry. • Many parts of the region are under AFSPA to maintain peace, law and order. • Some insurgent groups are: ULFA and NSCN-IM, NSCN-K.
LEFT-WING EXTREMISM OR NAXALISM	<ul style="list-style-type: none"> • The movement originated in Naxalbari village in West Bengal in 1967 under the leadership of Charu Majumdar and Kanu Sanyal. • Is a far-left radical communist movement based on political ideologies of Mao Zedong, a Chinese revolutionary leader. • The Maoist insurgency doctrine glorifies violence as the primary means to overwhelm the existing socio-economic and political structures. • 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.

	<ul style="list-style-type: none"> • The extremist movement is spread across the eastern, central and southern parts of India, called RED CORRIDOR. • The Maoist groups took up the cause of poverty, unemployment, displacement and alienation of tribals in the region, influencing them with radical communist ideologies to pursue violence against the state. • Now, Naxalites are expanding their footprint in industrial towns of Maharashtra and Gujarat. This is called the GOLDEN CORRIDOR which extends along western India and reportedly stretches along the belt extending from Pune to Ahmedabad, including Nashik, Surat and Vadodara.
ORGANIZED CRIME AND LINKAGES WITH TERRORISM.	<ul style="list-style-type: none"> • Organized crime is a category of transnational, national, or local groupings of highly centralized enterprises run by criminals to engage in illegal activity, and committing serious crimes most commonly for profit. • These include human and drug trafficking, arms trade, kidnapping, extortion and blackmailing, contract killing, prostitution rackets, money laundering and hawala transactions etc. • India's proximity to 2 of the world's biggest opium-growing areas, has increased related security concerns. • These work as syndicates and Mafia and are usually also linked with terrorist organizations for mutual benefits. E.g.: D-company of Dawood Ibrahim, who coordinated Mumbai Blasts of 1993.
COMMUNAL VIOLENCE	<ul style="list-style-type: none"> • Includes acts of violence by followers of one religious' group against followers and institutions of another religious group, often in the form of rioting and mobilising attacks each other with feelings of hatred and enmity. • Roots of such violence also lie in <i>Religious fundamentalism and extremism</i>, which promotes extreme adherence to religion and enmity towards other religions • Major incidents of communal violence in India include violence during partition; 1961 Jabalpur riots; 1984 anti-Sikh riots, where more than 4000 Sikhs were killed in Delhi, Uttar Pradesh and other parts of India. 1992 Babri masjid; 2002 Gujarat riots; 2013 Muzaffarnagar riots.
REGIONALISM AND INTER-STATE DISPUTES	<ul style="list-style-type: none"> • Regional movements asserting their regional and cultural identities can threaten unity and integrity of India if they become secessionist. • In 1956, India was forced to redefine its inter-state boundaries on religious lines due to linguistic riots. • There also exists a demand for new states like Bodoland, Gorkhaland, etc. based on ethno-religious lines.
CYBER-CRIME AND CYBER SECURITY	<ul style="list-style-type: none"> • Use of cyberspace i.e. computer, internet, cell-phone and other digital devices to commit a crime in which computer is either a target or a tool, by an individual or an organized group is called a cyber-crime. • Cyber space provides anonymity, accessibility across borders, connectivity to people and their data. Modern critical infrastructure is also based on computer and internet networks.

	<ul style="list-style-type: none"> Hence, it becomes a major challenge to ensure cyber security to protect the sovereignty and security of citizens and nation from cyber-attacks by state and non-state actors. Can also be used to spread disinformation and spread violence.
LAND BORDER MANAGEMENT	<ul style="list-style-type: none"> Managing land borders is proving to be a major challenge for the internal security of India due to: <ul style="list-style-type: none"> difficult, inaccessible terrain, and adverse climate boundary dispute porous borders continuance of trans-border ethnic and cultural ties. This has further supported problems like illegal migrants, infiltration, smuggling, cross-border terrorism, the prevalence of organized crimes, etc.
COASTAL SECURITY CHALLENGE	<ul style="list-style-type: none"> Vast coastline of 7516km of India is prone to threats like smuggling, infiltration, organized crimes like drug trafficking, arms trade, etc. as it is difficult to guard and patrol maritime boundaries

FACTORS RESPONSIBLE FOR INTERNAL SECURITY PROBLEMS:

HISTORICAL FACTORS	<ul style="list-style-type: none"> Ever since independence, India has been facing all types of violent conflicts based on religion, caste, language, ethnicity and regional loyalties. At independence, India inherited communalism, religious tensions, caste divide and unfriendly neighbours. Pakistan supported the Khalistan movement and continues to be the base for militants terror organizations. Inherited border dispute with China, leading to the 1962 war and multiple skirmishes across borders. The border disputes have resulted in China supporting Insurgents in North-east.
ADMINISTRATIVE AND GOVERNANCE FACTORS	<ul style="list-style-type: none"> Inequitable growth, corruption and mismanagement, poor implementation of laws, administrative apathy and overall governance deficit builds discontent among the most vulnerable, pushing them into the hands of anti-establishment elements and ideologies.
SOCIO-ECONOMIC FACTORS	<ul style="list-style-type: none"> Socio-economic grievances like poverty, unemployment, displacement, loss of livelihood and rights on local resources, etc. might lead people to take up arms against the government and the nation or attract them towards terror organizations, promising them a livelihood. Poor socio-economic conditions of tribal population combined with administrative apathy and governance deficit in central India, including <i>Jharkhand, Chhattisgarh, Madhya Pradesh, Odisha, Telangana, Maharashtra</i> has pushed them towards Naxalites, and many tribal youths have joined LWE movement against the state.

<p>POLITICAL FACTORS; PARTISAN POLITICS</p>	<ul style="list-style-type: none"> • Threats like communalism, communal violence, caste divide and tensions, sectarian, ethnic, regional or other divisive factors, are mostly fuelled by partisan politics and local politicians for their own self-interest, by deepening social divides for <i>Vote Bank Politics</i>. • There is a lack of political will in developing mutual assimilation across cultures, ensuring the unity and integrity of India. • Religious, regional or ethnic demands should be addressed in a democratic manner and shouldn't be left at the hands of petty politics.
<p>UNREFORMED CRIMINAL JUSTICE SYSTEM</p>	<ul style="list-style-type: none"> • Present justice system remains punitive rather than reformative, and provides little avenues for criminals to reform and take up a respectable job after serving the sentence. • The system also punishes the falsely accused, who with a damaged reputation, is unable to find a respectable status in society. • Such people, affected by a faulty criminal system, are recruited by violent and terror outfits and pick up arms against the state.
<p>CULTURAL FACTORS; REGIONALISM</p>	<ul style="list-style-type: none"> • Linguistic and ethnic differences, give rise to regional tendencies. • These differences and cultural identities, if not recognized, can lead to alienation, 'exclusion' from development process and hinder nation-building. • People can rise up in protest to establish their identities, which can take a violent secessionist turn. E.g: Insurgency of Nagas for 'Greater Nagalim'
<p>POOR BORDER MANAGEMENT</p>	<ul style="list-style-type: none"> • India has a long land border of more than 15,000km. border disputes, porous borders and illegal infiltration by militants across borders pose a threat to internal security in form of terrorism, militancy, proxy wars or full-blown wars with unfriendly, enemy nations. • Hence, effective border management remains a key concern in addressing India's internal security challenges.
<p>POLICE AND SECURITY FORCES</p>	<ul style="list-style-type: none"> • Effective deployment of security forces to deal with belligerents threatening unity and integrity of India is of paramount importance. • But forces should remain transparent and professional, as allegations of atrocities and police indifference towards people's problems aggravate internal security problems. <p>For E.g.: Enactment of AFSPA in J&K and North-East, which gives security forces unrestricted power to open fire in mere suspicion. Instances have emerged where such powers have been used arbitrarily, killing innocents, exposing insensitivity of security forces. This has reportedly led to many youths being forced to pick up arms.</p>
<p>INCREASED USE OF DIGITAL TECHNOLOGIES AND LACK OF EFFECTIVE CYBER SECURITY</p>	<ul style="list-style-type: none"> • Cyberspace will be the theatre of warfare involving both state and non-state actors, in the 21st century. • There is a greater dependence on critical infrastructures like transport systems, power grids, etc. in IT and digital technologies. • Protecting this critical infrastructure from cyber-attacks is a major emerging concern in the internal security of India.

Violence and threats to internal security erupts when conflicting interests cannot be consensually reconciled. The hostile external forces, taking advantage of this situation through subversive propaganda, further accentuate these conflicts. They give material and ideological support to aggravate this sense of grievance to such an extent that a small minority are willing to become tools in their hands to subvert the stability and security of the country. In a well-established political system and a developed economy, conflicts between the various group identities are kept under check as in due course they get assimilated into the national identity. But that has not happened in India as yet, where the wounds of the partition and the colonial rule have still not fully healed. Further, the persistence of large-scale poverty and illiteracy, the lack of employment, shelter, clean drinking water, basic sanitation and health care, food and nutrition, and the yawning gaps in the achievement of various other vital developmental targets manifest the serious failures of national governance, which continues to fuel propaganda of anti-national elements threatening national security.

ROLE OF MEDIA IN INTERNAL SECURITY

Media includes any communication channel which can be used to disseminate facts, information, news, updates, messages, etc. to the people. It can be broadly classified as:

1. Print Media (newspapers, magazines, books and Brochures, Billboards, etc.).
2. Electronic Media (news websites, social networking sites, mass SMS schemes, television, internet, radio, cinema etc.).
3. New Age Media (Mobile Phones, Computers, Internet, Electronic Books).

POSITIVE ROLE PLAYED BY MEDIA IN INTERNAL SECURITY:

- **Informs and educates people** objectively, impartially and in an unbiased manner about potential security threats and challenges.
- **Connecting Government to masses:** media publishes and broadcasts messages by government to the people, warning them of potential threat.
 - Disseminating information about the various programmes and policies of the government for vulnerable section and areas for their development to counter internal security threats.
- **Reporting ongoing threats** responsibly for the knowledge of the people and the government.
- **Providing inputs to security policies:** media moulds the opinion of both people and government provides facts, figures and data to formulate suitable security policies.
- **Highlighting future threats:** Through its ground reporting, it can warn of governments about the issues which can become a security threat in the future, as it can inform about the growing discontent in a particular area or group of people.
- **Building and Promoting a sense of nationalism:** boost morale of the people by invoking their sense of nationalism, brotherhood and pride in their country and showcasing the gains the country has made in different spheres, economic, social, technological etc.
- **Countering Radicalization:** countering propaganda of radical ideologies by providing correct facts and figures, addressing radicalized youth and their families.
- **Giving voice to the most vulnerable and downtrodden:** so that their concerns, such as displacement, forcible acquisition of land and other resources are highlighted and addressed, preventing them from the clutches of extremist ideologies, picking up arms and becoming a national threat.

- **Ensuring Accountability:** It can bring accountability among government institutions by highlighting lapses, atrocities committed by them or other lacunas in their security operations which can further aggravate the threat.

MEDIA AS A THREAT TO INTERNAL SECURITY:

But, in recent times because of the proliferation of news channels and their rivalry with another for TRP instances of 'Breaking News' sensationalization, yellow journalism (*journalism that presents little or no legitimate well-researched news while instead using eye-catching headlines for increased sales*), and one-sided information by some unscrupulous news channels have emerged. Facts and information are giving way to opinions and speculations. Such actions of media have a negative impact on long term internal security.

- Instances have emerged where media has compromised security by **displaying sensitive information**.
 - For example, during the time of 26/11 Mumbai terror attacks TV channels live broadcast operations by security forces, indirectly informing the terrorists and their handlers about the operations.
- News channels conducting **debates on divisive issues** like religion, caste, ethnicity, etc., seeking opinion of irresponsible individuals on sensitive issues may **disrupt the social fabric** of the country and become a security threat.
- In the race for TRP and 'Breaking News', **unverified, incorrect and fake news** is disseminated which can create chaos, fear among people and can even instigate violence.
- Media can create undesirable **pressure on the government** to take steps based on popular perception rather than based on strategic advantage and long-term security. It influences independent government decision making.

PRESENT REGULATIONS AND RESTRICTIONS ON MEDIA:

Media in India is mostly self-regulated. The existing bodies for regulation of media such as the Press Council of India which is a statutory body and the News Broadcasting Standards Authority, a self-regulatory organization, issue standards which are more in the nature of guidelines. The present regulations and restrictions on media in India are:

- **Article 19** of the Indian Constitution ensures freedom of speech and expression of media, but it is subject to reasonable restrictions under the article.
- **Press Council of India:** According to the Press Council Act, 1978, it can warn, admonish or censure the newspaper, the news agency, the editor or the journalist found guilty of spreading misinformation.
- **The National Security Act of 1980** puts restrictions on the Indian press while reporting on issues that may need to be confidential and whose exposure may threaten the stability of the nation.
- **News Broadcasters Association (NBA):** It represents the private television news and event broadcasters.
 - It is self-regulatory in nature and probes complaints against news broadcasters in a fair manner.
 - News Broadcasting Standards Authority (NBSA) administers the Codes of Ethics & Broadcasting Standards, which has been voluntarily drawn by the News Broadcasters Association (NBA) for its member broadcasters to demonstrate their commitment to responsible broadcasting and to self-regulate themselves.
- **Broadcasting Content Complaint Council (BCCC):** examines content-related complaints relating to all non-news general entertainment channels in India.

- A complaint relating to objectionable TV content or fake news can be filed to the BCCC if a broadcaster incites communal hatred, encourages violence against women or child abuse, airs contents having gory scenes of violence, promotes superstition or consumption of drugs and other contraband substances.
- **Cable Television Networks (Regulation) Act of 1995**
 - It prohibits “live coverage of any anti-terrorist operation by security forces”.
 - The rules also empowers the Central government to “regulate or prohibit the transmission or re-transmission of any channel or programme”, if it is necessary or expedient to do so “in the interest of the sovereignty, integrity or security of India, friendly relations with any foreign State or public order, decency or morality.”
- **The Information Technology (IT) Act, 2000:** It imposes an obligation on intermediaries such as search engine giant Google to remove any objectionable content pursuant to takedown notices by law enforcement agencies.
- The Indian Broadcasting Foundation has released ‘**Self-Regulatory Content Guidelines for Non-News and Current Affairs Television Channels**’, after the critical live broadcasting of the Mumbai terror attacks in 2008 that forced media experts and journalists to revise the content broadcasted on the Indian media.

FURTHER MEASURES TO TACKLE THE THREATS POSED BY MEDIA:

Considering the potential of media to harm the national security and health of a nation, following measures shall be undertaken to tackle the national threat:

- **Developing a Code of Ethics:** The media houses must evolve their own *code of ethics* and *strong self-regulation mechanisms* through which actions against those acting against the interest of the national security can be taken.
- **Providing correct news and information:** Governments should also be proactive and must continuously provide immediate, *accurate and reliable information* so that public is not influenced by sensational and biased news reporting.
- **Accurate reporting in national interest:** news channels must ensure **accuracy in reporting**, while **not** broadcasting stories which can **compromise national security**. They should keep **accuracy, balance and national interest**, as a priority over speed.
- **Reporting in Local languages:** Media houses must also strengthen their local networks so that they can provide **actual ground reports**, can provide **information in local languages** because at present there exist a gap between local and national news which should be bridged.
- **Establishment of a single regulatory body:** for both print and electronic media or enhancing punitive powers of the PCI and setting-up a similar statutory body for the electronic media.
- **Independent regulatory bodies:** regulatory bodies should not include media owners/interested parties as members.
- **Use of legally approved maps:** In the use of any terminology or maps, that represents India and Indian strategic interests, all news channels shall use specific terminology and maps mandated by law.
- **Responsible reporting:** news channels shall also refrain from allowing broadcasts that encourage secessionist groups and interests, or reveal information that endangers lives and national security.

ROLE OF SOCIAL MEDIA AND SOCIAL NETWORKING SITES IN INTERNAL SECURITY

- Social media refers to a group of web-based online platforms that facilitate communications, interactions and engagement between people, groups and communities. It allows exchange of ideas, photos, videos, and information on the virtual cyber platform.
- Social media includes blogs, wikis, discussion forums, micro-blogs, twitter and social networking sites (such as Facebook).
- Social Media is a more overarching term referring to an internet-based communication channel that transmits information to a wide audience, while social networks facilitate the act of engagement, mutual sharing of ideas, photos, videos, etc. between like-minded people, groups or communities.
- With nearly 600 million Indians on the internet and social media, and its revolutionary role in connecting people, Government has to be proactive in capitalizing on the opportunities and tackling the challenges to internal security that social media presents.

SOCIAL MEDIA SUPPORTING INTERNAL SECURITY:

With exponentially increasing user base of social media and networking sites in India, it can represent an effective opportunity to preserve national security and reach the strategic interests if used properly by civil institutions and, in particular, by security services and/or information security services.

Social media platforms can be used by security and law enforcement agencies to secure internal security in the following ways:

- **Crime and criminal tracking:** Data and information from social media, can be used to track patterns of crimes, predict disturbances and prevent cyber-crimes.
- **To build actionable intelligence and gather evidence:** data collected from social media can act as an information and intelligence that can be shared across agencies to address potential threats. E.g.: tracing last location, photos, acquaintances, etc.
 - However, the privacy of citizens should also be ensured and such platforms shouldn't be used for surveillance. E.g.: *Wikileaks* leak by Edward Snowden revealed mass surveillance and snooping under the NSA Prism programme by USA, of its own citizens.
- **Tackling security threat of fake news:** Networking sites can be monitored for any false rumours or fake news being circulated which can potentially instigate violence. Government can then address these by alerting the law enforcement agencies and publishing the correct information.
- **Engaging with citizens:** Through social media, agencies can constructively engage with citizens to inform them and making them aware of potential security threats.
- **Community policing:** Social media can be effectively used towards developing community policing, by building ties and working closely with members of the communities to reduce crime and disorder. This can be used as an effective tool to **report crimes and track criminals**.
- **Countering radicalization:** social media platforms can be used to counter radical ideologies and propaganda of terror organizations, capitalizing the speed and access of the media.
- **Coordinating different Government agencies:** social media is used as institutional communication tool by the government and provides a medium that creates cohesion between federal agencies by increasing both communication and transparency.

SOCIAL MEDIA AS A THREAT TO INTERNAL SECURITY: Despite its multiple advantages, social media can pose a serious threat to national security

Terrorism:

- Social Media is increasingly used by terrorist organizations as a tool for ideological radicalization, recruitment, communication and training, especially youth.
E.g.: recruitment by ISIS; militant groups in Pakistan.
- Due to the convenience, affordability and broad reach of social media platforms like YouTube, Facebook and Twitter, terrorist groups have increasingly used social media to further their goals and spread their message. For E.g.: **Christchurch mosque shootings** in New Zealand on 15 March 2019, which killed 51 people, was live-streamed on Facebook.
- It has become a platform for coordination of plans of attack, communication with cells, or propaganda and information and spread of hate campaign or messages that can hurt the sentiments of people.

Organized crime:

- Criminal organizations use social media as support, communication and coordination tools to conduct their illicit activities, like drug smuggling, human trafficking, money-laundering, etc.

Threat to democracy:

- Wide user base of social networking sites can be leveraged and misused to influence, modify and create popular perception. This subjects citizens to outside influences rather than acting on their free will and independent perception. This threatens the spirit of democracy. For e.g.: Cambridge Analytica leaks revealed that Facebook data was used to manipulate US presidential elections 2016.

Protest Movements and Revolution:

- Social Media acts as an asset of great importance both for protest movements and revolutions. Rebels and revolutionary groups turn to such tools to better organize and spur the masses to act, to arrange protest or struggle activities and manage their tactical and operational aspects. This was witnessed in the Arab Spring of 2011 and Hong Kong Protests in 2019.

Communal Violence and Fanning Tensions:

- Social media is also being misused in polarising different communities in India and compounding India's Security challenges. The viral videos and false updates of communal clashes, riots and terrorists attack have led to mob violence and even communal riots. E.g.: Muzaffarnagar riots 2013

Propagation of false rumours and fake news on Facebook, WhatsApp, TikTok, etc. can lead to misunderstanding between people, groups and communities, which can fuel violence, used for propaganda by insurgents, militants and terrorists.

Threat to personal information of citizens:

- Through hacking, phishing, trojans, data of citizens can be stolen, including personal information, financial information, etc., and can be used for surveillance and exerting undue influence through social media platform itself

- **Honey trapping:** Instances have emerged that hostile state actors are using social networking sites to honey trap officials in important positions in other nations to gather intelligence, which can become a serious threat to national security.

EXISTING REGULATORY MECHANISM TO REGULATE SOCIAL MEDIA:

1. **Information Technology Act, 2000** provides a legal framework for transactions carried out by means of electronic data interchange; **Sections 69 and 69(a) of the Act** empowers the government of India to:
 - issue directions for blocking of information for public access and
 - to issue directions for interception or monitoring or decryption of information through any computer resource, for maintenance of public order, defence, security, sovereignty and integrity of India, friendly relations with other states or to prevent incitement to the commission of any cognizable offence relating to the above circumstances.
2. **Information Technology Intermediaries Guidelines, 2011** has been released under the IT Act, 2000 for regulation of social media intermediaries.
3. **National Cyber Security Policy 2013** protects information and information infrastructure in cyberspace, build capabilities to prevent and respond to cyber threats, reduce vulnerabilities and minimize damage from cyber incidents and threats from social media.
4. **International cooperation:** Seeking to secure cyberspace, India has entered into nine new bilateral agreements with developed nations such as the US, Singapore and Japan in order to promote research and information sharing on cybersecurity and measures to make social media more secure.

Currently, no specific guidelines exist to regulate social networking sites and address emerging challenges to internal security from such platforms. Government is working to formulate comprehensive guidelines to regulate social media and make it a more responsible medium.

Recently, the government has proposed new Draft IT intermediary guidelines which will be finalized by 2020 as per the government's statement.

Draft Information Technology [Intermediaries Guidelines (Amendment) Rules] 2018

- The Intermediary Guidelines Rules, 2011 require intermediaries to prohibit users from posting or sharing certain content on its platform (e.g. obscene content). The new Draft Rules prohibit posting on social media, a new category of information, i.e., content which threatens 'public health or safety'.
- Intermediaries must, within 72 hours, provide assistance to any government agency regarding content posted or shared on their platforms. Further, they must enable tracing of the originator of the information on their platform.
- Intermediaries must deploy technology-based automated tools to identify and remove public access to unlawful information. Further, intermediaries with more than fifty lakh users must incorporate a company in India.

WEAKNESSES IN EXISTING REGULATORY MECHANISM:

- **Fake news:** existing regulatory mechanism has multiple loopholes and has failed to tackle the challenge of fake news getting viral on social media. Guidelines and regulations have become outdated and have failed to keep pace with the growth of digital technologies and social media.

- Despite nearly 600 million Indians on social media, there is a **lack of any data protection law or data localization** to protect privacy and data sovereignty.
- **Digital illiteracy** makes Indian citizens highly susceptible to cyber fraud, cyber theft etc.
- **Lack of adequate infrastructure and trained staff:** There are currently around 30,000 cyber security vacancies in India; also, there is a **lack of technology** to monitor vast volumes of data generated on social media.
- **Under-reporting:** majority of cases of cybercrime remains unreported because of lack of awareness.
- **Inadequate coordination among various agencies** working for cyber security- Private sector, despite being a major stakeholder in the cyberspace, has not been involved proactively for the security of the same.
- **Anonymity:** social media provides avenues for users to hide their identities, which are often difficult to track and can pose a challenge to security agencies; sometimes even social media platforms are not able to trace the originator of a message or an online content.
- Cyber terrorism, recruitment and radicalization of youth by terror organizations through social media continues. Cyberspace in India is not yet secured and remains vulnerable to attacks as institutional monitoring remain weak, laws are outdated and digital literacy is lacking.
- Terror organizations continue propagandizing on social media, which affords them anonymity and access to a large number of people by design.

MEASURES TO TACKLE THREATS OF SOCIAL MEDIA TO INTERNAL SECURITY:

- **Capacity building** of people and spreading digital literacy to empower people in understanding the challenges and threats of social media. For eg. PMGDISHA (Pradhan Mantri Gramin Digital Saksharta Abhiyan) to make 6 crore rural households digitally literate, should be expanded to cover all of the rural population.
- **Increasing awareness** regarding fake news, rumours and radical content. Government should actively support fact-checking websites and web pages to dispel rumours and fake news.
- **Engaging with people** and communicating with leaders on social media to monitor it.
- **Implementing BN Srikrishna Committee** report and enacting data protection and localization laws.
- **Adopting best practices** and regulatory measures from other countries such as the National Cyber Response Coordination Group (NCRCG) of US and National Cyber Security Drill of Korea shall be incorporated
- **Encouraging Internet Service Providers (ISPs) and social media intermediaries** to provide **clean Internet** to citizens, which is devoid of any inflammatory content.
- **Standardized cyber security courses** should be started in schools, universities and colleges. Innovations and R&D in the field should be encouraged.

Social media is a double-edged sword. It has proved to be revolutionary in terms of connecting people, spreading information, and sharing of ideas. But, its wide reach, anonymity, and a large amount of data generated makes its regulation difficult. There is a need to evolve an effective, comprehensive and progressive regulatory mechanism, which, while keeping in mind freedom of speech and expression, ensures that social media platforms in networking sites are not used at the detriment of society, national interest and national security. In this spirit, there is a need to decentralise regulation involving multiple stakeholders including users, intermediaries and government.

CHALLENGES TO INTERNAL SECURITY THROUGH COMMUNICATION NETWORKS:

- Communication network refers to interconnection of communicating devices such as telephones, cell-phones, computers, electronic gadgets, optic fibre network etc.that enable them to transmit information in the form of data, voice and videos.
- The network infrastructure includes hardware and software resources such as mobile, laptops, sensors, servers, web, etc.
- It provides the communication path and services between users, processes, applications, services and external networks/the internet.
- Communication networks are a part of **Critical Information Infrastructure (CII)** and are crucial for the connectivity of other critical infrastructure, like, Transportation (air, surface, rail & water); Telecommunication; Defence; Space; Law enforcement; Banking & Finance; security & intelligence; Sensitive Government organisations; Public Health; Water supply, etc.

Challenges to internal security through communication networks can manifest in 2 ways:

- Threats posed by communication networks.
- Threats to communication networks of India.

THREATS POSED BY COMMUNICATION NETWORKS:

Increased penetration, accessibility and affordability of secure communication networks by people, including state and non-state actors such as terrorist groups, insurgents have caused new challenges to internal security of India.

Communication networks are crucial to maintaining Critical Information Infrastructure on which modern economy as well as society is heavily dependent upon, and is used by security agencies to tackle other threats.

Challenges posed by communication networks to internal security of India are:

- **Cyberwarfare:** Communication networks such as the internet, computers, can be used to wage cyber wars and neutralize the nation's critical infrastructure, crippling the economy.
- **Spying and espionage:** Use of geospatial data, satellites, satellite maps and drones can be used to conduct espionage and compromise strategic location.
- **External sourcing of communication equipment:** imported gadgets and equipment, can be vulnerable to cyber-attacks and used for spying and espionage by external agencies. E.g.: Huawei and ZTE supply 20% of telecom equipment in India. Experts have shown concerns of potential misuse of these by China for collecting data and espionage.
- **Supporting terrorism and organized crime:** these networks are used by terror organizations for command and control and securely communicate messages and instructions to terrorists across the border. Eg. End-to-end encrypted message service is used by terror outfits, organized crime syndicates to conduct illegal and criminal activities.
- **Prone to misuse:** They are widely available in the public domain, where commercial and individual motives can easily lead to misuse.
- **Targeted attack on citizens:** these also provide external actors, access to a large number of people within the nation. This can be leveraged to wage targeted war, or impact the country's economy, polity, society and psyche,
 - For Example, Russia allegedly influenced voters in US Presidential elections, 2016 by using internet and social media.

- **Global threats:** wireless connectivity has further increased exposure and vulnerabilities. The traditional approach of securing the boundaries are not effective in this space.
- **Increased crime:** Communication networks with time has become more user-friendly, which has enabled their use by a larger number of individual criminals and criminal organizations.

Pegasus- an example of misuse of communication networks:

- The popular messaging platform WhatsApp was used to spy on journalists and human rights activists in India earlier this year.
- The surveillance was carried out using a spyware tool called **Pegasus**, which has been developed by an Israeli firm, the NSO Group.
- Pegasus can send back the target's private data, including passwords, contact lists, calendar events, text messages, and live voice calls from popular mobile messaging apps.
- The target's phone camera and microphone can be turned on to capture all activity in the phone's vicinity, expanding the scope of the surveillance.
- The unique feature of Pegasus is that it can be installed in a phone by just a missed call on the app, without the user even realizing.
- The Pegasus attack highlights the evolution and vulnerability of communication technology, that can potentially be used for mass surveillance, conduct cyber-attacks on other communication networks.

THREATS TO COMMUNICATION NETWORKS OF INDIA:

- **Terrorists and Non-state Actors**
 - A Terror attack on communication network – physical or cyber- could have crippling effects on national security and normal lives of the people and far-reaching impact on the victims.
 - Today, the entire economy rests on digital systems and communication networks including banking and finance, tax collection, transportation, IT industry, etc. attacks on communication network could prove to be catastrophic.
 - Such attacks will also create an environment of fear and distrust, completing the purpose of terrorist organizations.
- **Hackers and Cyber attackers**
 - This includes malware, viruses, spyware, spam, denial of service, social engineering attacks, etc.
- **External state actors**
 - State actors have a large number of resources and scalability to conduct a potent attack on the critical infrastructure of another nation. This kind of warfare can completely destabilize an enemy nation.
 - E.g.: virus Stuxnet was allegedly used by Israel against Iran to cripple its nuclear programme.

POSSIBLE TARGETS IN A COMMUNICATION NETWORK:

- The devices in the form of routers, switches, firewalls, mobile phones, database and domain name system (DNS) servers;
- Web portals, protocols, the ports and communication channels;
- Satellite network communication systems;
- Network applications such as cloud-based services;

NEED TO SECURE COMMUNICATION NETWORKS IN INDIA:

- **National security:** attack on communication networks supporting critical infrastructure like power grids, transport, defence equipment, etc. can cripple security agencies themselves, compromising national security.
- **Protecting digital sovereignty:** that the networks and data generated should remain in control of the citizens and duly elected governments. Digital sovereignty of people would get compromised if communication networks are not secured properly.
- **Building Confidence on Digital Technology:** Internet is penetrating all aspects of our lives and the government also is encouraging its people to use digital services. Hence, it is imperative to secure such communication networks so as to build confidence and trust of people on digital technology.
- Communication networks form the foundation of modern **digital ecosystem**. To ensure continuance and reliability of digital systems and overall cybersecurity, it is essential that communication networks are secured.

STEPS TAKEN BY THE GOVERNMENT:

- The recent **National Digital Communication Policy 2018** includes a separate pillar on ‘**Secure India**’ especially highlighting cybersecurity and secure communication networks.
- **Equipment testing labs** have been set up and **local certification** made mandatory for imported communication networks to ensure equipment is free from vulnerabilities.
- **National Critical Information Infrastructure Protection Centre (NCIIPC)** has been notified by the government under the auspices of **National Technical Research Organisation** (*a technical intelligence agency under the National Security Advisor in the Prime Minister's Office*), as the nodal agency with respect to Critical Information Infrastructure Protection.
 - The NCIIPC aims to reduce the vulnerabilities of CII against cyber terrorism, cyber warfare and other threats.
- **Central Industrial Security Force** is deployed to protect important communication routes, points and installations.
- **National Cyber Security Policy, 2013** has been launched under which bodies like CERT-In have been designated the task to protect cyber networks from external and internal threats.

FURTHER MEASURES TO STRENGTHEN SECURITY OF AND THROUGH COMMUNICATION NETWORKS:

- Involving private players, **innovative entrepreneurs and experts** in monitoring and protecting communication networks against potential threats.
- **Intelligence sharing among different intelligence agencies** to constantly update systems and being vigilant of future threats.
- **Strengthening Defence Cyber Agency** as an independent armed force to counter cyber threats to communication networks, and monitoring terror outfits and crime syndicates using these network channels.
- **International cooperation:** Coordinating with other nations and international organizations to check the threat by non-state actors, terrorists and develop globally secure networks.

The Defence Cyber Agency (DCA)

- The Defence Cyber Agency (DCA) is a tri-service command of the Indian Armed Forces, created in May 2019.
- Headquartered in New Delhi, the agency is tasked with handling cybersecurity threats.
- The DCA draws personnel from all three branches of the Armed Forces.
- Senior Navy officer Rear Admiral Mohit Gupta will be the first head of the DCA.

ROLE OF EXTERNAL STATE AND NON-STATE ACTORS IN CREATING CHALLENGES TO INTERNAL SECURITY

As stated earlier, the internal security of India is influenced by multiple internal and external factors, which include state and non-state actors.

WHO ARE EXTERNAL STATE AND NON-STATE ACTORS?

External State actors refer to those entities which have the formal backing of a sovereign state for carrying out any intended action. Examples of state actors are the army, bureaucracy, intelligence agencies etc.

Non-state actors are individuals or organizations that have powerful economic, political or social power and are able to influence at a national and sometimes international level but do not belong to or allied themselves to any particular country or state. They include NGOs, MNCs, religious outfits, Drug Cartels, Mafias, terrorist groups etc. They may work in tandem for the peace, stability and development of a country or they may work against the State.

Transnational organized crimes, drug trafficking and international terrorism, are the major non-state actors which pose major challenges for internal and international security and strength.

CHALLENGES POSED BY EXTERNAL STATE ACTORS TO INTERNAL SECURITY OF INDIA:

- Countries surrounding India have been active in exploiting the various volatile situations in India. Not only countries such as China, Pakistan, Bangladesh and Myanmar, but also smaller powers such as Bhutan and Nepal are involved.
- Through political backing, economic assistance, logistic support, military training or arms supplies these countries have varyingly contributed to the internal security concerns of India. There have been instances where state actors have been responsible for carrying out cyber warfare through hacking and other espionage.

CHINA

- China has provided financial support, arms and sanctuaries to multiple extremist organizations in North-East including Naga, Mizo and Meitei, since the British Period.
- Tribes in NE region also have close cultural and ethnic ties with tribes in Tibet and China. Some of these include common factors such as Buddhism, Mongoloid ethnic features, ancient connecting routes, etc.
- Chinese also extended moral and material support to the insurgents by arranging for their training in guerrilla warfare and subversion in training centres in Yunnan province of mainland China and Lhasa in Tibet.
- The Naxalite movement, based on the ideology of Mao Zedong, the influential Chinese leader, also enjoys philosophical, moral, financial and intellectual support from China.

- Since 1962, China has been following a policy of strategic containment of India by regional coalitions and arming India's neighbours Myanmar, Bangladesh and Pakistan, which further enhances India's internal security concerns.

PAKISTAN

- Pakistan is one of India's main concerns both on external and internal security fronts. Recognizing that it cannot defeat India in traditional warfare, Pakistan has been indulging in proxy-wars by supporting many non-state actors, including terrorist organizations and crime syndicates.
- India is facing militancy and insurgency in J&K assisted and sponsored by Pakistani military and ISI, in the North-East and through support to various fringe extremist groups within the country.
- India also faces huge economic challenges due to the fake currency rackets. It is part of Pakistan's state policy 'to bleed India through a thousand cuts', given its obvious disadvantages on the conventional warfighting front.
- Through its nexus with the Taliban and Jihadi elements, as well as its involvement in religious extremism, international terrorism and the narcotics trade, Pakistan poses a threat not only to India but to the stability of the region as well.

NEPAL

- India and Nepal share an open border with free exchange of people and currency across the borders. However, coming to power of Communists and Maoists (Nepal Communist Party) poses major challenges to internal security of India.
- Communists and Maoists in Nepal have known linkages with Indian Left-Wing Extremists. Consequently, Nepal can significantly add to India's Maoist threat by supporting the rebels in the red corridors of India.
- Recent years has also seen a dip in India-Nepal relations as the Maoists have been continually upping the ante against India, accusing India of invoking in internal Nepali affairs.

ROLE OF EXTERNAL NON-STATE ACTORS IN INTERNAL SECURITY OF INDIA:

Non-state actors can include both, those working constructively to maintain internal security, and others, who pose a challenge and threat.

Positive Role Played by Non-state Actors:

- International intergovernmental organizations (like UNICEF, UNESCO, etc.), NGOs and civil society institutions (like Amnesty International, Greenpeace, etc.) are able to reach out to people at grassroot levels, to give voices to their grievances. This prevents them from falling prey to extremist ideologies and recruitment by militant organizations, preventing potential threat.
- These also enable percolation of fruits of development in most vulnerable regions and sections.
- Private companies, MNCs, provide employment, enabling people to live a dignified life. These also contribute in management of internal security challenges by making and supplying arms and ammunition to armed forces and paramilitary forces.

CHALLENGES POSED BY NON-STATE ACTORS:

- **Insurgency and Left-wing extremism (LWE):**
 - North-East suffers from violent movements based upon ethnic identities leading to clashes. Chinese organisations are alleged to support such acts, for instance, ULFA members of Assam were given shelter by China.
 - LWE movement in the Red corridor, led by various Maoist groups like CPI (Maoist), affects states like Chhattisgarh, Jharkhand and West Bengal.
- **Terrorism:**
 - Pakistan has been a major exporter of terrorism to India. Non-state actors like terrorist groups for instance Lashkar-e-Taiba, Jaish-e-Mohammad are a continuous threat.
 - Non-state actor sponsored terrorism, often motivated by fundamentalist ideologies, backed by secretive but efficient financial networks, use of IT, clandestine access to chemical-biological and nuclear materials, and illicit drug trafficking, has emerged as a major threat to international stability.
 - These groups aim to not only create instability in states like J&K, but they also have a larger aim of destabilising the country. This is done through sporadic terrorist strikes, which spreads terror and panic. This could also adversely affect the ability of the Indian state to pursue economic modernisation.
- **Organized crime:**
 - Drug smuggling: Inter and Intrastate trafficking takes place, through golden crescent and golden triangle routes. Drugs from Pakistan, Afghanistan and Iran have affected Punjab.
 - Human-trafficking: Child and women trafficking takes place via Bangladesh and Nepal. A recent estimate revealed that about 50 women are trafficked from Nepal to India every day.
- **Counterfeit currency:**
 - It corrodes economy from inside, by facilitating black money and money laundering activities as well as funding terrorism, which itself creates a demand for fake currency, thereby creating a positive feedback loop. This is the issue arising especially from Pakistan.
- **Communalism:**
 - Propagandas are run and funded by enemy country and other non-state actors to destabilize India by damaging the socio-religious fabric and ensure riots.
- **Cyber Security:**
 - Recent cyber-attacks by Legion, ATM skimming are examples. Pakistani hackers often hack government websites.
- They can also incite people for regionalism thus demanding their separate state which further increases secessionist tendency

NON-STATE ACTORS IN PAKISTAN:

- Pakistan Military supports Islamic terrorist groups like the Al-Qaeda, Lashkar-e-Taiba, Harkat-ul-Jihad Islami, Jaish-e-Mohammad, and the Pakistani Taliban along with various other terror organizations, act against India, with direct or indirect support from Pakistan.
- Apart from conducting terror attacks in various parts of the country, these groups are involved in training and facilitation to armed insurgents in various training camps in Pakistan, providing support to local militants, creating an overground network of workers, sleeper cells, spreading extremist ideologies, etc.

NON-STATE ACTORS IN NEPAL:

- As India Nepal share open border, various groups are involved in cross-border nefarious activities, including smuggling, fake currency circulation, drug and human trafficking, etc.
- Various terror organizations, crime networks, have been found to be using Nepal as a means to enter India, posing a threat to internal security.

NON-STATE ACTORS IN BANGLADESH:

- Trans-border relocation from Bangladesh and inflow of illegal migrants and refugees has created tensions and volatile situations in Assam and North-east region.
- This is also witnessed in Assam agitation, issue of National Register of citizens and multiple instances of violence against them, acting as a serious internal security challenge.

FRAMEWORK TO DEAL WITH SUCH THREATS:

There is a need to evolve a comprehensive framework in dealing with individual threats posed by external state and non-state actors. This includes specific problems of insurgency, naxalism, terrorism, communalism, etc. Such frameworks should include:

International Measures:

- Constructively engaging with neighbours and the international community to tackle challenges of terrorism, cyber threats, etc.
- Highlighting issues and threats of terrorism in various international forums.
- Signing regional cooperation agreements to tackle common threats to internal security.
- Conducting coordinated strikes on insurgents and terror outfits. for E.g.: **Operation Sunrise** conducted by Indian and Myanmar Armies, targeting militants in north-east.

Domestic Measures:

- Coordination between various security agencies at the centre and state levels.
- Border controls and border management along with coastal security measures.
- Modernizing security infrastructure and security forces.
- Bottom-up approach in the development process for more inclusive growth with greater integration of alienated groups and decentralizing power to Panchayati raj institutions.
- Promoting regional integration through 'Ek Bharat Shreshtha Bharat'.
- Threat specific analysis and solutions.

2. TERRORISM

<p>CONTENT:</p> <ul style="list-style-type: none"> ● Introduction ● Types of Terrorism ● Causes of Terrorism ● Terror Financing ● Impact of Terrorism ● Challenges in dealing with Terrorism ● India's Steps to Counter-Terrorism ● Way Ahead ● Conclusion 	<p>SYLLABUS - GS III - Internal Security</p>
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INTRODUCTION:

- Terrorism is a global crime and has become a very important topic of debate at the global level. The affairs of the world are influenced by the grave threat of terrorism.
- India is perhaps at the forefront of the threat posed by terrorism as it is surrounded by hostile nations that are widely considered as the hotbed of terrorism.
- As per 2018 Global Terrorism Index released by the Institute for Economics and Peace, which indicates that despite a 27% fall in the number of deaths from acts of terrorism worldwide, the impact of terrorism remains widespread, with 67 countries experiencing deadly attacks, which is the second-highest recorded number of countries in the past twenty years.

Definition of Terrorism and controversy behind it

- According to the FBI: "Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."
- Countries at the international level could not succeed in developing a generally accepted and comprehensive definition of terrorism.
- United Nations in the 1970s attempted to define the term but couldn't succeed mainly due to differences of opinion between various members about the use of violence in the context of conflicts and violence done for national liberation and self-determination.
- Such differences have made it impossible to conclude a Comprehensive Convention on International Terrorism that incorporates a single, comprehensive, legally binding, definition of terrorism.

Difference between Terrorism, Insurgency and Extremism

- **Terrorism**- Terrorism is the planned, organised and systematic use of violence as a means of coercion for political, religious and ideological purposes. Insurgency, Militancy, Naxalism all are different forms of terrorism.
- **Insurgency**- It is the act of rebellion and armed struggle by a section of society with the goal of overthrowing the lawfully established government. Public support for such insurgents exists, for example, the insurgency in Nagaland in the 1950s.

- **Naxalism-** It is for the purpose of establishing a new order of society by violence to destabilise the state through communist guerrilla warfare activities. Naxalism in India is based on Maoist ideologies through which they want to overthrow the government by people's war and to install people's government at the helm. Insurgency and Naxalism are different forms of terrorism but all terrorism is not insurgency or naxalism.

TYPES OF TERRORISM

Eighth Report of the Second Administrative Reforms Commission (ARC) which deals with the menace of terrorism says that terrorists are motivated by different goals and objectives which depends on the objectives of the group/groups, the nature of terrorism also differs. The major types of terrorist operations commonly identified globally include:

Ethno-Nationalist Terrorism	<ul style="list-style-type: none"> • Ethno-nationalism- The desire of a group of persons in the society to separate from the existing government and to formation of their new nation can cause the creation of terrorist organizations. • Terrorism may get motivated by this kind of ethnicity and separatist aspirations. Ethnic terrorism can be defined, according to Daniel Byman, as deliberate violence by a subnational ethnic group to advance its cause. Such violence usually focuses either on the creation of a separate State or on the elevation of the status of one ethnic group over the others. Tamil Nationalist groups in Sri Lanka and insurgent groups in North East India are examples of ethno-nationalist terrorist activities. • Another example is Hamas which is one of the most dangerous ethno-nationalist groups involving in different types of terrorist activities like suicide bombings for attacking against Israel with the objective of creating a separate state i.e. Palestine. • Chechen terrorist organizations are also ethno-nationalists, as they attack against the citizens and government of Russia in order to establish their own nation.
Religious Terrorism	<ul style="list-style-type: none"> • Present-day terrorist activities around the world are motivated largely by religious imperatives. According to Hoffman, the practitioners of terrorism motivated either in whole or in part by a religious imperative consider violence as a divine duty or a sacramental act. • For example, ISIS's main agenda of creating Caliphate under Islamist ideology.
Ideology Oriented Terrorism	<p>Any ideology can be used to support the use of violence and terrorism. Ideology oriented terrorism is generally classified into two: Left-wing and Right-wing terrorism:</p> <p><u>Left-wing Terrorism-</u></p> <ul style="list-style-type: none"> • Violence against the ruling elite mostly by the peasant class motivated by what are called leftist ideologies have occurred time and again in the history of mankind. • However, the ideological basis for the left and subsequent violent movements was inspired by the writings of Marx and Engels. This was supported by the

	<p>writings and speeches of later communist leaders like Lenin and Mao Tse-tung (Mao Zedong).</p> <ul style="list-style-type: none"> • Leftist ideologies believe that all the existing social relations and state structures in the capitalist society are exploitative in character and a revolutionary change through violent means is essential. • Examples of leftist ideologies that have resorted to the use of terror are numerous. These include; the Red Army Faction or Baader Minh of Gang in the former West Germany, Maoism/Naxalism in India, FARC of Colombia, People's Revolutionary Army of Argentina. The Maoist groups in India and Nepal are the most easily identifiable groups closer home. <p><u>Right-wing Terrorism-</u></p> <ul style="list-style-type: none"> • Right-wing groups generally seek to maintain the status quo or to return to some past situations that they feel should have been conserved. They have reactionary tendencies in them and their jingoist ideology ensures them to resort to violence so that their demands be met. • Sometimes, groups espousing rightist ideologies might assume ethnic/racist character too. They may force the government to acquire territory or to intervene to protect the rights of an 'oppressed' minority in a neighbouring country, for example, the Nazi Party in Germany. • Violence against migrant communities also comes under this category of terrorist violence. It is to be noted here that religion can play a supportive role in rightist violence. • Examples of these are Nazism in Germany, the Fascists in Italy, white supremacy movements in the US known as the Ku Klux Klan (KKK), etc.
State-sponsored Terrorism	<ul style="list-style-type: none"> • In recent times, some countries have embraced terrorism as a deliberate instrument of foreign policy. One distinction of state-sponsored terrorism from other forms of terrorist activity is that it is initiated to obtain certain clearly defined foreign policy objectives rather than grabbing media attention or targeting the potential audience. • Given this character, it operates under fewer constraints and causes greater casualties on the target (Hoffman, 1998). In a cost-benefit analysis, state-sponsored terrorism is the most effective means of terrorism from the perspective of the perpetrator. • For example, Countries like Iran, Iraq, Sudan, Libya North Korea have been engaged in sponsorship of political violence of different nature in their 'enemy' countries. India has been facing this problem from Pakistan off late.
Narco-terrorism	<ul style="list-style-type: none"> • Narco-terrorism is an interesting concept, which can fall in the category of either 'Types of Terrorism' or 'Means of Terrorism', depending on how it is defined. • The term was first used in 1983 by the former President of Peru, Belaunde Terry to describe campaigns by drug traffickers using terrorist methods such as the use

	<p>of car bombs, assassinations and kidnapping against the anti-narcotics police in Colombia and Peru.</p> <ul style="list-style-type: none"> • Though initially used in the context of drug trafficking-related terrorism in South America, the term has come to be associated with terrorist groups and activities around the world and more so in the Central and South-East Asia because this region is the hotbed of narcotics production, like the production of Cocaine, Cannabis etc. • It is the attempt by narcotics traffickers to influence the policies of the Government by systematic threat or use by violence. • However, it is also possible to view narco-terrorism as a means of terrorism or at any rate as a means of funding terrorism. As the term itself suggests, narco-terrorism combines two criminal activities; drug trafficking and terrorist violence. • Narco-terrorism is motivated mainly by economic reasons as it helps the terrorist organizations raise huge sums of money with minimum cost for their activities. Thus, the political, ideological, religious and ethno-nationalist motives generally associated with terrorism are secondary to the economic gains associated with it. • Major terrorist groups operating on these lines in these countries are Al Qaeda, the Colombia-based AUC (United Defences of Columbia), ELN (National Liberation Army), Colombia, and FARC (Revolutionary Armed Forces of Colombia); Islamic Jihad in Palestine; Hizbullah in Lebanon; and the RIRA (Real Irish Republican Army) in Northern Ireland. Islamist terrorist groups in India supported by the Pakistan ISI are reported to be active in drug trafficking along the Kashmir Valley and also in other parts of the country, for example, Lashkar-e-Toiba, Jaish-e-Mohammad etc.
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CAUSES OF TERRORISM

The study of terrorism becomes preoccupied with the constant debate around explaining what actually constitutes terrorism and how to counter it instead of perhaps concentrating on why it actually occurred and causes behind it. People are not born terrorists. Therefore, it is a significant point that terrorism is a long process and one of the political strategies selected from among a range of other options to achieve their goals. The process of terrorism has a historical background, which involves people who think that the political system is treating them poorly.

<p>Religious fundamentalism and radicalism</p>	<ul style="list-style-type: none"> • Religion is treated to be a significant if not the only cause of terrorism. • Fundamentalists and conservatives reject changes which they consider threatening to their religion and tries to establish old order by force. • Religion has long been a factor of terrorism. Today, religion has been mainly attributed to Islamic fundamentalism as a part of terrorism even though other forms of terrorism prevail.
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	<ul style="list-style-type: none"> • The terrorist attacks based on religion are more dangerous in nature than other types of terrorism. For example, ISIS's religious appeal entices the young people by saying that they would be a reward, after death by God and make them ready for a suicide bombing which is harder to defend. • In India also, religion is the main reason for terrorism. The maximum number of terrorist incidents and deaths of innocent civilians have occurred due to religious terrorism. • In Punjab, some Sikh groups as a means chose terrorism to create an independent state called Khalistan based on Sikh religion. In J&K, Muslims belonging to different organisations chose terrorism as a means for the creation of an independent Muslim nation and for this purpose, they attack the innocent public.
Poverty	<ul style="list-style-type: none"> • Terrorism is perpetrated by poverty; it is generally seen that violent terror activities are fuelled due to excessive poverty as the people who feel deprived of economic resources are easily motivated to spread terror activities in return of monetary benefit. • The more important factor of terrorism is a disparity in the distribution of resources. This is the main cause of terrorism. Approximately, 15% of the world population uses 85% of the total resources. UN statistics show that the situation is more deteriorated in developing countries as compared to the last 30 years ago. In underdeveloped countries, a small group of people have enriched themselves. • In India, Andhra Pradesh, Madhya Pradesh, Orissa and Bihar are prime examples of terrorism in the form of Naxalism /LWE due to economic causes. Where unemployment, exploitation of landless by landowners and absence of land reforms, etc., are the main causes of terrorism. • Where unemployment, exploitation of landless by landowners and absence of land reforms, etc., are the main causes of terrorism. These economic grievances and gross social injustice have given rise to ideological terrorist groups such as the various Marxist/Maoist groups operating under different names.
Sense of Injustice/ Alienation/ Discrimination	<ul style="list-style-type: none"> • Many groups of people came from their homeland to other countries for employment or education and ultimately settled there. Many times, they face discrimination from the original citizens of the countries where they shifted. Eg- Germany. • These groups may become jaded towards society and feel excluded. Due to sentiments of discrimination and isolation, these groups become more conservative and start terrorist acts against the original citizens and government. • 9/11 terrorist attacks, in the USA, is the best example of this type of terrorism. The persons involved in this attack were migrant Muslims, who went to Germany, from their native nation, for their education. • They felt discriminated in Europe and they created a terrorist group with other conservative individuals and attacked in the USA on 9/11. Due to discrimination, they became discontented and angry with society.

Political causes	<ul style="list-style-type: none"> • Lack of equality, freedom, demands of autonomy etc are the most important among main political causes. Suppressing a community, political exploitation and rule without representation etc. may give rise to armed struggle, resulting in terrorist activities. • Terrorism was considered in the context of insurgency and guerrilla warfare, a form of organized political violence by non-state actors, army or group. They choose terrorism because they don't like the current organization of society and they want to change it. • The grievances against certain political policy or lack of political participation in states may be of reason to join or form terrorist groups. The Left- and right-wing terrorists are the example of this type of terrorism. It is akin to ethno-nationalist terrorism, but in this, the demand is not to create a new state but to change the political policy within the nation. • Also, in India, there are numerous terrorist groups, who want to create separate nations like in J & K and in the Eastern States of India.
Socio-economic causes	<ul style="list-style-type: none"> • Social differences, Socio-religious discrimination, stratification in the society which ultimately leads to the creation of fault lines and racial unrest or division on ethnic lines have sometimes led to violent activities, that can be categorized as terrorism. A group may turn to arms while demanding social justice and can spread terror in an area. • Terrorism may also be caused due to the difference in economic standards of different countries. Due to economic differences between the rich countries and poor countries lead to humiliation, frustration, and victimizations in group of persons belonging to poor countries and they make comparisons about their economic conditions with the citizens of rich countries. • This makes deprived people a potent terrorist recruit. For eg., Mumbai 26/11 attack terrorists belonged to backward strata of the society.
Technology	<ul style="list-style-type: none"> • Greater technological penetration has helped in the spread of terror activities, through sophisticated means of communication and platforms on social media or through dark-web where the privacy barrier creates the government not to be able to enforce the perpetrators. A wider audience can be targeted this way. • Social media is one of the most widely used media by terrorist organizations to communicate with people in far-flung areas, indoctrination of youth and spread of fundamentalism. • Many times, people who got inspired by the terror group's ideology committed a lone wolf attack. Al-Qaeda has been noted as being one of the terror groups that use social media the most extensively.

TERROR FINANCING

- Terrorist activities generally involve the propagation of an ideology advocating militant action to achieve their goals, increasing the number of devoted followers willing to carry out militant action in furtherance of such goals, acquisition of and training in the use of arms and explosives, planning and execution of such militant action etc.

- All these necessarily require significant funding. Apart from the proceeds of illegal operations, such funding could be sourced even from the proceeds of lawful activities.
- **Ideological Patronage** - Supporters of a militant ideology could well make financial contributions to terrorist organizations from their known sources of income. Such contributions could also be made to some non-profit or charitable institutions acting as a front for terrorist organizations, knowingly or unknowingly.
- **Organised Crime** - Terrorist organizations finance their activities by either resorting to or working in concert with cartels involved in organised crimes such as drug trafficking, smuggling etc.
- **Black Money** - Funding also involves sources counterfeiting of currency. Funds may also be provided to such front organizations by laundering the proceeds of crime.
- **Malafide Business Activities** - Example of such acts include ISIS selling oil and gas to other countries at very cheap rates, trafficking of girls to be sold off for prostitution etc.
- Thus, finance is the lifeblood of terrorists if they are deprived of finance their activities won't be able to continue.

IMPACTS OF TERRORISM

Terrorism is very dangerous as it not only kills human life but also the infrastructure, industry, ultimately damaging the overall human growth.

<p>Political and Security Impact</p>	<ul style="list-style-type: none"> • Terrorist activities result in governmental instability and instability in governance over a region. For example, the killing of Ex-Prime Ministers of India, Mrs Indira Gandhi and Mr Rajiv Gandhi, by terrorists, affected Indian politico-economic situation greatly. The political instability has also harmed the Foreign Direct Investment. • Also, People lose trust in the government if violent acts of terror happen and lead to regional instability and human rights crisis, affecting bilateral relations with the neighbouring countries. • 2018 Global Terrorism Index released by the Institute for Economics and Peace, indicates that despite a 27% fall in the number of deaths from acts of terrorism worldwide, the impact of terrorism remains widespread, with 67 countries experiencing deadly attacks, which is the second-highest recorded number of countries in the past twenty years.
<p>Societal Impact</p>	<ul style="list-style-type: none"> • Social Impact of terrorism means how people suffer due to Terrorism. The social impact of terrorism is very dangerous and far-reaching, influencing many different aspects of society. The impact of terrorism on society is the effect on people's beliefs and attitudes. • Terrorism leads to creation of group divide and reduced trust/faith of citizens in the institutions of the state as well as in other fellow citizens. Communal identity solidifies In- group and Out-group classification becomes prominent where people from different groups see each other with suspicion and apprehension. • Intolerance spreads where citizens threshold of tolerance reduces, reactionary backlash also happens which disrupts the secular fabric of the nation. Thus, terrorism has a very disruptive impact on society.

<p>Economic Impact</p>	<ul style="list-style-type: none"> ● Addressing the Plenary Session of the 11th BRICS Summit in Brazil, Minister Modi said terrorism has emerged as the biggest threat to the development, peace and prosperity. ● PM Modi also said -According to some estimates, the economic growth of developing nations has decreased by 1.5 per cent due to terrorism. Terrorism caused a \$1 trillion loss to the world economy. ● The most immediate and measurable impact of terrorism is physical destruction. Terrorists destroy existing plants, machines, transportation systems, workers, and other economic resources, for example, attack on the World Trade Centre on Sept. 11, 2001, which destroyed billions of dollars' worth of property and killed thousands of productive workers. ● The impact of terrorism and war is always negative for the economy, and physical destruction is a large reason behind it as productive resources that might have generated valuable goods and services are destroyed, while other resources are almost invariably diverted from other productive uses and essential services to bolster the military and defence. ● For example, after the 26/11 terrorist attack in Mumbai, it has been the worst time for India's financial hub. There were an incalculable impact on investors climates, tourism and hospitality industries. The stock markets i.e. Sensex was almost down after a day the big terror incident in the country took place. Due to attack, the financial capital of India has been hit by 4000 crores. ● Reduced standard of living of the people as money gets diverted for defence purposes and the domestic and foreign investment reduces thus people having limited employment opportunities. ● Reduction in future investment, ease of doing business, disruption and destruction of human capital due to inadequate opportunities to the people who could have utilised their talents in their individual growth and the growth of their nation. ● Effects of Terrorism on Financial Market- Increased uncertainty in the financial markets, reduced investor confidence both foreign and domestic. The financial markets have been directly and indirectly the victims of terrorist attacks. Striking at the core of the world's main financial centre, the terrorist attacks of September 11 aimed at undermining the stability of the U.S. and international financial system.
<p>Impact on Governance</p>	<ul style="list-style-type: none"> ● Terrorism affects the routine governance aspect of the government. Considerable amount of money is spent on defence forces which could have been spent on socioeconomic necessities like healthcare and education of ordinary people.
<p>Impact on Tourism sector</p>	<ul style="list-style-type: none"> ● The impact of terrorism on a state's economy may be enormous, leading to unemployment, homelessness, deflation, crime and other economic and social ills.

	<ul style="list-style-type: none"> • The role of tourism and travel to both industrialized and developing countries is now so huge that any slumps in the level of activity in the industry are a cause of apprehension. • The effects extend outside activities directly associated with tourism, particularly hotels, catering, airlines, and other sectors. • In the modern world, when no place is a safe haven, the issue of terrorism influencing tourism industry is of huge importance. • As an example of the impact on tourism, Reuters reported that it is expected a 30% decline in visitors to France in the month after the Nice terror attacks. • In India, Jammu and Kashmir is famous tourism venue in the world but terrorism has damaged it badly. Tourist arrivals have gone down from 12,000 to 250 per day and hotel occupancy is around 3 per cent in 2016 due to increased terrorist activities.
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Challenges in dealing with Terrorism:

- **No clear definition-** Definition of Terrorism is still unclear at the global level.
- **Transnational issue-** Terrorist of one country can be considered as heroes in other countries, thus it becomes very challenging to curb terrorism when such terrorist gets support from other countries,
- **Absence of cooperation-** Some countries have their state policy of Proxy War against their neighbour, such policies are both explicit and implicit for example, Pakistan's policy of bleeding India through a thousand cuts.
- **Ideological Fight and rapid spread of misinformation-** Terrorism is considered to be a law and order issue rather than an ideological problem, the misinformation spread on the internet.
- **Terror finance and support from outside India-** Terror finance and equipment support from Pakistan and terrorist bodies functioning from its soil, drug trafficking in India makes it very challenging to end such terror acts.
- **Episodes of Riots, lynching leads to radicalisation-** Isolated events of lynching and riots gets perpetrated by fundamentalists to radicalise youth
- **Exploitation of State/Economic resources -** While dealing with terrorism a lot of state's economic resources are used which reduces the financial capacity of the state.

INDIA'S STEPS TO COUNTER TERRORISM:

<p><u>LEGISLATIVE MEASURES</u></p>	<ul style="list-style-type: none"> • Terrorism as an offence does not figure in the Indian Penal Code of 1860 as amended from time to time. In India, the first special law which attempted to define terrorism was the Terrorist and Disruptive Activities (Prevention) Act, 1987, which was followed by the Prevention of Terrorism Act, 2002 (POTA). With the repeal of the latter in 2004, the Unlawful Activities (Prevention) Act, 1967 was amended to include the definition of a 'terrorist act'. • Terrorist and Disruptive Activities (Prevention) Act, 1987 was an anti-terrorism law which was in force between 1985 and 1995 under the background of the Punjab insurgency and was applied to whole of India and lapsed in 1995 due
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to increasing unpopularity after widespread allegations of abuse. It was the first anti-terrorism law legislated by the government to define and counter-terrorist activities.

- **Prevention of Terrorism Act, 2002 (POTA)** was an Act passed by the Parliament of India in 2002, with the objective of strengthening anti-terrorism operations. The Act was enacted due to several terrorist attacks that were being carried out in India and especially in response to the attack on the Parliament. POTA replaced Terrorist and Disruptive Activities (Prevention) Act (TADA) (1985–95). The Act was repealed in 2004.
- **Unlawful Activities (Prevention) Act, 1967**, was amended in 2004, defines a ‘terrorist act’ thus:
 - i. whosoever, with intent to threaten the unity, integrity, security or sovereignty of India or to strike terror in the people or any section of the people in India or in any foreign country,
 - ii. does any act by using bombs, dynamite or other explosive substances or inflammable substances or firearms or other lethal weapons or poisons or noxious gases or other chemicals or by any other substances (whether biological or otherwise) of a hazardous nature, in such a manner as to cause, or likely to cause, death of, or injuries to any person or persons or loss of, or damage to, or destruction of,
 - iii. property or disruption of any supplies or services essential to the life of the community in India or in any foreign country or causes damage or destruction of any property or equipment used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State Government or any of their agencies,
 - iv. or detains any person and threatens to kill or injure such person in order to compel the Government of India or the Government of a foreign country or any other person to do or abstain from doing any act, commits a terrorist act”.
- **Unlawful Activities (Prevention) Amendment Bill, 2019**
Major amendments:
 - i. To **designate individuals as terrorists** on certain grounds provided in the Act.
 - ii. The Bill empowers the Director-General of NIA to grant approval of seizure or attachment of property when the case is investigated by the said agency.

	<p>iii. The Bill empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases of terrorism in addition to those conducted by the DSP or ACP or above rank officer in the state.</p> <ul style="list-style-type: none"> • The National Security Act of 1980 is an act of the Indian Parliament promulgated in the 1980s whose purpose is <i>"to provide for preventive detention in certain cases and for matters connected therewith."</i> <ul style="list-style-type: none"> i. The act extends to the whole of India. This act empowers the Central Government and State Governments to detain a person to prevent him/her from acting in any manner prejudicial to the security of India, the relations of India with foreign countries, the maintenance of public order, or the maintenance of supplies and services essential to the community it is necessary so to do. ii. The act also gives power to the government to detain a foreigner in a view to regulate his presence or expelled from the country. The act was passed in 1980 during the Indira Gandhi Government.
<p>INSTITUTIONAL MEASURES</p>	<p>4 major role of anti-terrorist agencies:</p> <ul style="list-style-type: none"> • Intelligence gathering- The primary role of intelligence collection is played by the state police and the central government agencies. NATGRID and MAC (Multi-Agency Centre) formed after 26/11 have been instrumental in being a force multiplier. But the collection of information and vital inputs from other government departments and other non-government bodies like information regarding fake currency, smuggling, cross border infiltration, financial details etc. still need to be streamlined so as to facilitate uncovering terror threats. Once NATGRID becomes operational, the issue of such streamlining would be reduced. • Training and operations- Training, equipment etc availability of the state police forces have been limited, central forces (CAPF) have been getting attention regarding modernisation since the past few years only and major scope for improvement exists. IB plays the role of coordinator with the police of different states but in case if some operation has to take place in multiple states there is no unified command for its successful. • Investigations – Better organisational efficiency in dealing with issues related to the investigation is a must and hence NIA (National investigation agency) was created. One unified central agency when investigates all such cases of terrorism which are inter-linked and occur in different states offers more efficiency.
<p>INTERNATIONAL COOPERATION</p>	<ul style="list-style-type: none"> • India's push for CCIT- India proposed a draft document on the Comprehensive Convention on International Terrorism (CCIT) at the UN in 1996 but it has not been adopted as there is no unanimity on the definition of terrorism among the member states. • FATF (FINANCIAL ACTION TASK FORCE)- Combating terrorist financing has been a priority for the FATF since 2001. It plays a central role in global efforts

	<p>in combatting terrorist financing, through its role in setting global standards to combat terrorist financing, assisting jurisdictions in implementing financial provisions of the United Nations Security Council resolutions on terrorism, and evaluating countries' ability to prevent, detect, investigate and prosecute the financing of terrorism.</p> <ul style="list-style-type: none"> ● UN Global Counter-Terrorism Coordination Compact-United Nations has launched a new framework titled 'UN Global Counter-Terrorism Coordination Compact' to combat international terrorism and coordinate efforts across the peace and security, humanitarian, human rights and sustainable development sectors. <ul style="list-style-type: none"> i. The framework is an agreement between the UN chief, 36 organisational entities, the International Criminal Police Organisation (INTERPOL) and the World Customs Organisation to better serve the needs of member states when it comes to tackling the scourge of international terrorism. ii. The Coordination Committee of the United Nations will oversee the implementation of the framework and monitor its implementation. iii. The committee will be chaired by UN Under-Secretary-General for counter-terrorism.
<p>BORDER MANAGEMENT</p>	<ul style="list-style-type: none"> ● In the aftermath of the Pathankot attack, the government had approved a plan to stop infiltration on 2900 kilometres western border with Pakistan under the name Comprehensive Integrated Border Management System (CIBMS). ● Important component of the CIBMS is the use of satellite imagery, which would help the security forces to find out details of the terrain and fortifications across the border. ● It would also help in planning operations and for infrastructure development. ● Also, <i>BOLD-QIT Border Electronically Dominated QRT Interception Technique</i> is the project to install technical systems under the Comprehensive Integrated Border Management System (CIBMS), which enables BSF to equip Indo-Bangladesh borders with different kinds of sensors in the unfenced riverine area of the Brahmaputra and its tributaries.
<p>FINANCIAL MEASURES:-</p>	<ul style="list-style-type: none"> ● Strengthening the provisions in the Unlawful Activities (Prevention) Act, 1967 to combat terror financing by criminalizing the production or smuggling or circulation of high-quality counterfeit Indian currency. ● Terror Funding and Fake Currency (TFFC) Cell has been constituted in the National Investigation Agency (NIA) to conduct a focused investigation of terror funding and fake currency cases. ● An advisory on terror financing has been issued in April 2018 to States/ Union Territories. Guidelines have also been issued in March 2019 to States/ Union

	<p>Territories for investigation of cases of high-quality counterfeit Indian currency notes.</p> <ul style="list-style-type: none"> • Training programmes are regularly conducted for the State Police personnel on issues relating to combating terrorist financing. • Intelligence and security agencies of Centre and States work in tandem to keep a close watch on the elements involved in terror funding activities and take action as per law. <p>Also, Measures to check the smuggling and circulation of Fake Indian Currency Notes (FICN) in the country –</p> <ul style="list-style-type: none"> • Fake Indian Currency Notes (FICN) network is one of the channels of terror financing in India. FICN Coordination Group (FCORD) has been formed by the Ministry of Home Affairs to share intelligence/information among the security agencies of the states/centre to counter the problem of circulation of fake currency notes. • Security at the international borders has been strengthened by using new surveillance technology, deploying additional manpower for round the clock surveillance, establishing observation posts along the international border, erection of border fencing and intensive patrolling. • Memorandum of Understanding (MoU) has been signed between India and Bangladesh to prevent and counter the smuggling and circulation of fake currency notes. • Training programmes are conducted for the Police officials of Nepal and Bangladesh to sensitize them about smuggling/ counterfeiting of Indian currency.
<p>Aspirational District Scheme</p>	<ul style="list-style-type: none"> • Ministry of Home Affairs has been tasked with the monitoring of Aspirational districts programme in 35 LWE affected districts and Kashmir and other backward districts in India and aims to quickly and effectively transform these districts. • Thus, the Government is committed to raising the living standards of its citizens and ensuring inclusive growth for all – “Sabka Saath Sabka Vikas”.
<p>Cybersecurity Infrastructure</p>	<ul style="list-style-type: none"> • Besides enacting cyber legislations, the government has also undertaken organisational measures by establishing new centres for cybersecurity such as the National Critical Information Infrastructure Protection Centre and the National Cyber Coordination Centre; creating a division covering Cyber and Information Security within the Ministry of Home Affairs; and improving institutional capacity building through training of personnel and generating awareness.

WAY AHEAD - What more can be done to fight the menace of terrorism?

Dealing with terrorism requires a comprehensive approach in which different stakeholders like the government, political parties, security agencies, civil society etc, will have an important role to play-

Police and Intelligence Network	<ul style="list-style-type: none"> Strengthening the state police and intelligence network, enhancing their training facilities and ensuring the availability of modern equipment for investigation, surveillance and operations when the time comes. We also need to have modern scientific forensic laboratories so as to have proactive investigative infrastructure available at the disposal of police bodies. Also, due to the advancement of Information technology cybercrime perpetration is rising due to which sophisticated cybersecurity architecture becomes the need of the hour to prevent terror perpetration, religious indoctrination etc. in the minds of people through social media and various sites on the internet.
Time-Bound Justice Delivery	<ul style="list-style-type: none"> A no-tolerance policy towards terrorism to be created, stringent laws and fast track courts which disposes off cases efficiently as soon as possible when the memory of such incident is fresh in the minds of the people. Police forces have limited powers against terrorists, laws against terrorism are very similar to laws against crimes an example of this is detention power is only for 24 hours in both circumstances. Also, we need to bolster our criminal justice system, a weak system emboldens the terrorists to indulge in violent activities thus good criminal justice system, stringent legal framework can seal all escape routes and dilatory practices.
Terror Funding	<ul style="list-style-type: none"> Government should take necessary steps to cut terror financing coming locally or from outside as it acts as the lifeblood of terrorists. If it is cut, terrorist activities would come to a standstill.
Improving Centre-State Relations	<ul style="list-style-type: none"> Centre and states should continue with their coordinated efforts where Centre should play a supportive role with state police forces taking the lead in fighting the menace of terrorism and creating lenient conditions for the citizens to voice their concern to the government. Effective participation of centre and states becomes important because law and order is a state subject and the responsibility to fight against terrorism is the responsibility of both central armed forces and state police must co-operate so as to have effective removal of terrorist activities.
Public Awareness	<ul style="list-style-type: none"> Spread of awareness is a necessary condition as the eyes and ears of the forces are on the streets. Terrorism has to be fought by the security forces with the cooperation of the people. Appropriate sensitisation training should be given to security forces for avoiding alienation of the people and for enlisting their cooperation.

	<ul style="list-style-type: none"> • Also, both the majority and minority communities should ensure interreligious harmony and they must work towards peace. Civil society participation can be a game-changer. • Role of media in awareness generation is pivotal, media should also ensure utmost dispassionate journalism as often times national security becomes an issue of debate on the national television, it should not lead to media trials of the accused until they are proven guilty by the respective courts. • Media policy should include principles of self-restraint. Publishers, editors and reporters need to be sensitized to avoid and exclude those elements of media coverage that may unwittingly advance the agenda of terrorists. All forms of media should be encouraged to evolve a self-regulating code of conduct to ensure that publicity arising out of terrorist attacks does not help the terrorists with their nefarious intentions.
Legislative Reforms	<ul style="list-style-type: none"> • Removal of or effectively changing outdated laws (e.g., The Explosive Act), containing irrelevant provisions resulting in delay in investigation and prosecution of offenders, must be amended. A stable, effective and responsive administration is an antidote to terrorism.
Grievance Redressal	<ul style="list-style-type: none"> • Ensuring adequate grievance redressal mechanism available to people, so that they are able to vent out their problems, and the government is able to deal with such issues proactively and to ensure such issues don't prop up again in future. • This will reduce discontent among masses thereby reducing the appeal of the terrorist organisations.
Balanced Development	<ul style="list-style-type: none"> • Developmental activities should be planned and executed with due regard to problems of displacement of people, resettlement etc. so that violent eruption of conflicts on such issues can be avoided.
Creation of NCTC	<ul style="list-style-type: none"> • National Counter Terrorism Centre's concept came up after 26/11 attack where several intelligence and operational failures revealed the necessity for federal agencies with real-time intelligence inputs which can prove to be of actionable importance, specifically to counter-terrorism acts. • NCTC would act as an apex body with a single effective point of control for all measures related to counter-terrorism. NCTC was based on the American and British administrative models. • But some criticise NCTC that it can infringe on the state's constitutional powers as per the constitutional provisions as law and order is a state subject.
Curbing Misinformation and Rumours	<ul style="list-style-type: none"> • The response to the phenomenon of Jihadi terrorism being advocated in some madrassas needs to be countered by emphasising on the true essence of Islam. • Educational Institutions like madrasa as well as other social institutions could play a major role in this regard.

	<ul style="list-style-type: none"> • In fact, it is important to have a holistic strategy for the promotion of Education for Peace, covering secular as well as religious schools. • As far as the secular schools are concerned, the National Curriculum Framework, 2005, brought out by the National Steering Committee of the NCERT has already suggested a course of action.
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CONCLUSION:

- Terrorism is not restricted by national boundaries, and the problem-taking place in any part of the world today will surely be a problem for all tomorrow. It is even a threat to those countries that create or promote it.
- Therefore, terrorism is a phenomenon that must be condemned, fought, resisted, controlled and, eventually, eliminated at all levels-national, regional and international.
- Conditions necessary for wiping out terrorism must, accordingly, be facilitated and emboldened nationally, regionally and internationally, and unilaterally, bilaterally or multilaterally.
- Terrorist acts confronted by a state cannot be eliminated by the affected States alone because of the international linkage of the terrorist groups. It is, therefore, clear that all the nations must form a common front to fight terrorism.
- If the much-needed spirit of international cooperation in the required degree is not properly established, the world would become a dangerous place to live. It is for this reason that one nation's peace and security will be determined by the success of all nations' response to any kind of terrorism, particularly for international terrorism.
- Prime Minister Modi also called on the SCO (SHANGHAI COOPERATION ORGANISATION) member states to cooperate under the SCO Regional Anti-Terrorist Structure (RATS) against terrorism where he said that countries sponsoring, aiding and funding terrorism must be held accountable as he called for a global conference to combat the menace.
- There is a need for the world to join hands and take concrete multilateral initiatives to ensure that terror groups are dealt with a heavy hand. Accepting and ratifying the Comprehensive Convention on International Terrorism (CCIT) proposed by India would be a good first step in this regard.

3. JAMMU AND KASHMIR MILITANCY

CONTENTS	SYLLABUS
<ol style="list-style-type: none"> 1. Introduction 2. Historical background 3. Reasons and Issues behind militancy 4. Impacts of militancy 5. Challenges 6. Steps taken to deal with militancy and to boost preparedness 7. Way forward 8. Conclusion 	<p>GS III - Internal Security</p>

INTRODUCTION:

- The valley of Kashmir eulogised as a paradise on Earth, is surrounded by mountains. The people of Kashmir consider these mountains as their guardian and protector, who allowed various religions and cultures to come into the valley and settle down there.
- One after the other, Kashmir became the home for the Buddhists, the dwelling for the teaching of Vedanta and the centre for mystic Islam. However, Kashmir does not have a single past.
- After the Buddhist and Hindu Rajas, Kashmir was ruled by the Sultans, Moguls, Afghans, Sikhs and Dogras.
- Different dynasties brought different cultures and religions to Kashmir. The simple and peaceful people of Kashmir accommodated with the diverse dominant trends without much resentment.
- Hinduism, Buddhism, and Islam together made a significant impact on the life of Kashmiris. This coexistence signified Kashmir as a melting pot of multiple communities synchronised in harmony for centuries. The people of Kashmir call the valley as Pirwaer and Rishwaer, the abode of Sufis and Rishis.
- The coexistence of Sufism and Rishism suggests that the valley was tolerant and peaceful, where great saints had inspired the people to transcend their religious boundaries to move towards one destination that belongs to all irrespective of their religious affiliation.



Figure- It shows the map of Jammu and Kashmir and various surrounding states

HISTORICAL BACKGROUND

Pre-independence

- The first formal document of Kashmir came out through **Kalhana's Rajatarangini**. Both Hindus and Muslims had ruled Kashmir from time to time before independence. During Ranjit Singh's rule, even Sikhs also governed this area.
- In 1822, Gulab Singh became the King. Ranbir Singh came to power after the death of Gulab Singh in 1857.
- Earlier state of Jammu and Kashmir was a part of the Sikh Empire under Maharaja Ranjit Singh. Later British empire fought a battle with Sikhs after the death of Maharaja Ranjit Singh, Gulab Singh (a Dogra general in Maharaja Ranjit Singh's army) sided with the British.

- Thus, when the Sikhs lost and Treaty of Amritsar was signed Kashmir was given to Gulab Singh as a reward in lieu of money and on the condition of acceptance of British sovereignty. Since then till the independence, Kashmir was ruled by the Dogra dynasty.
- Hari Singh took charge of the state in 1925. He was the king of Kashmir when the treaty or Instrument of Accession was signed with India.

Post-Independence

- Instrument of Accession (IoA) and Article 370 (OLD PROVISIONS)- Under the IoA, J&K surrendered only 3 subjects-defence, external affairs, communications. India agreed for a separate constituent assembly for the state of J&K. Thus, India included Article 370 in Part XXI of the Indian Constitution, which read “Temporary, Transitional and Special Provisions”. This special status gave the following special powers to J&K:
 - It allowed J&K to have its own Constitution and Flag.
 - Article 370 explicitly mentioned that only the provisions of Article 1 and Article 370 applied to the state.
 - Centre could extend the central laws on subjects included in the Instrument of Accession (IoA) — Defence, External Affairs and Communications —by “consultation” with the state government.
 - The remaining central laws could be extended to the state only with the “concurrence” of the state government.
- Jammu and Kashmir were a large princely state having nearly 75% Muslim population but was ruled by a Hindu king, Maharaja Hari Singh.
- The Kashmir issue has caused tension and conflict in the Indian subcontinent since 1947 when independence from Britain created India and Pakistan as two sovereign states.
- Jammu and Kashmir – the full name of the princely Himalayan state, then ruled by Maharaja Hari Singh – acceded to India in 1947, seeking military support after tribal raids from Pakistan into the state’s territory such princely states had the option of deciding which country to join, or of remaining independent.
- Because of its location, Kashmir could choose to join either India or Pakistan. Maharaja Hari Singh, the ruler of Kashmir, was Hindu while most of his subjects were Muslim. Unable to decide which nation Kashmir should join, Hari Singh chose to remain neutral.
- After independence, Maharaja Hari Singh of J&K decided not to join India or Pakistan. However, when Pakistani backed militants attacked the state in October 1947, the Maharaja decided to accede to India and signed the Instrument of Accession (IoA).
- He signed the Instrument of Accession, ceding Kashmir to India on October 26. Both countries have fought three wars over the region since. The ceasefire was intended to be temporary but the Line of Control remains the de facto border between the two countries.
- In 1957, Kashmir was formally incorporated into the Indian Union. It was granted a special status under Article 370 of India's Constitution, which was taken away in August 2019.

CAUSES BEHIND KASHMIR MILITANCY

In a diverse country like India, disaffection and discontent are not uncommon. Indian democracy has the necessary resilience to accommodate genuine grievances within the framework of sovereignty, unity and

integrity. Government of India has expressed its willingness to accommodate the legitimate political demands of the people of the J&K. However, Pakistan sponsored terrorists have terrorised the population and hindered political dialogue by intimidating or silencing voices of moderation that wish to engage in dialogue. The human rights of the people of J&K have been systematically violated by such terror tactics and the kidnappings and killings of innocent people by terrorists. Following are some of the causes behind Kashmir militancy-

<p>Rigging of 1987 Assembly elections</p>	<ul style="list-style-type: none"> • Following the rise of Islamisation in the Kashmir valley, during the 1987 state elections, various Islamic anti-establishment groups including Jamaat-e-Islami Kashmir were organised under a single banner named Muslim United Front (MUF), that is largely current Hurriyat. • MUF's election manifesto stressed the need for a solution to all outstanding issues according to Simla Agreement, work for Islamic unity and against political interference from the centre. • Their slogan was wanting the law of the Quran in the Assembly. But the MUF won only four seats, even though it had polled 31% votes in the election and they believed the elections were rigged, changing the course of politics in the state. The insurgency started after the apparent/alleged rigging of state elections in 1987.
<p>Pakistan's Propaganda</p>	<ul style="list-style-type: none"> • ISI's role- The Pakistani Inter-Services Intelligence has encouraged and aided the Kashmir militancy/ secession movement through supporting militant efforts due to its dispute on the legitimacy of Indian rule in Kashmir, with the insurgency as an easy way to keep Indian troops distracted and cause international condemnation of India. • Federal Bureau of Investigation (FBI), in their first-ever open acknowledgement in 2011 in US Court, said that the Inter-Services Intelligence (ISI) sponsors terrorism in Kashmir and it oversees terrorist separatist groups in Kashmir. • Mujahideen influence- After the retreat of Afghanistan by the Soviet Union, Mujahideen fighters, with the aid of Pakistan were diverted to Kashmir, slowly infiltrated Kashmir with the goal of spreading radical Islamist ideology.
<p>Disenchantment of Youth</p>	<ul style="list-style-type: none"> • The declining credibility of political parties and ineffective administrative machinery of the state has been contributing to the growing disenchantment among the youth. • Besides, the disruption in the academics due to frequent strikes, the law and order situation, students' agitation etc. creates a grim future for them. • In government colleges, student agitations on everyday issues like infrastructure can be effectively dealt with by the district administration, the college authorities and the vice-chancellor, but invariably ends up with the administration opting to march in the police as their first and only response. • The police act in a high-handed manner, at times, resorting to the use of pellet guns. Often, one finds that people are demanding good governance and protesting to get electric transformers repaired, or issues of employment, water and electricity are addressed, but by raising slogans of 'Azadi'.

Youth Swayed by Militancy	<ul style="list-style-type: none"> ● Right from the initial days of militancy, going back to the early 1990s, the youth in Kashmir have grown up seeing a gun-holding soldier or a militant. As a result, they have developed a mindset where the gun is perceived as the strongest and the only symbol of empowerment. ● To the Kashmiri youth, living in an environment of conflict, it gives them a strong identity. The youth are also fascinated by the thrill and glamour of gun-culture. They are lured by the smart military and commando-styled attires of the militants with their latest gadgets and weaponry. ● The pictures posted on social media attract the lay youngsters because such pictures give them instant fame and recognition, in a state where there are hardly any other platforms for seeking recognition and respect. ● The heroism attached to young, handsome men dying for a cause creates glamour around militancy, for example, After Burhan Wani was shot dead many youths of Kashmir started moving towards militancy.
Religious Radicalisation Contributing to Militancy	<ul style="list-style-type: none"> ● Religious radicalisation is another primary cause for the rise of militancy. Radicalisation happens when the people who are agitated, deprived of resources and apprehensive due to presence of the military in their neighbourhood are fed with the communal propaganda and inspired for fighting against them who belong to a religion different from them to fulfil objectives like separatism.
Role of Social and Mainstream Media	<ul style="list-style-type: none"> ● Social media is also playing a dominant role in radicalising the youth, messages on WhatsApp groups mobilise people for stone-pelting. Instagram posts of militants, fiery speeches of terrorists like Masood Azhar are widely circulated as well. ● The Youth Forum for Kashmir set up in Islamabad in 2012 by Ahmad Qureishi with the backing of the Pakistan Army has also played an influential role in fomenting youth unrest in Kashmir. ● They targeted universities and colleges. Further, the coverage of Kashmir events in mainstream Indian media is acting as a major spoiler. Kashmiri youth maintain that mainstream Indian media portrays all Kashmiris as terrorists and Kashmiri politicians as being 'Pakistani'. ● The influential round-the-clock news channels indulge in bitter debates on communal matters, getting fanatic religious leaders on their shows that contribute to a highly polarised environment. Usually, such provocative journalism is taken very seriously in Kashmir. ● Hindu-Muslim dynamics in India has an enormous impact on the Kashmiri mindset. Therefore, unfortunate incidents of beef-lynching and communal riots create a feeling of insecurity among Kashmiris.
Economic Causes	<ul style="list-style-type: none"> ● High unemployment and lack of economic opportunities in Kashmir are also said to have intensified the struggle of the people. ● Kashmiri people attributed their economic deprivation with the alleged prejudice in the government both at the centre and in the state thus losing faith in them.

IMPACT OF KASHMIR MILITANCY

Security Impact	<ul style="list-style-type: none"> ● Increased military presence of Indian security forces in the valley affects the day to day life of the people, regular inspections, combat operations with terrorist impacts the public living in the region. ● Exodus of Kashmiri pandits from the valley also happened due to the rise of militancy. ● On many occasions, we have seen major bomb blasts and attacks in other parts of India. Kashmir became a national security issue and the militants here caused violence in other parts of the country. Parliament attacks were also planned and executed by such militants. ● Sovereignty of India gets impacted when terrorists from outside India attacks and the regional terrorist groups demand separatism from India. ● Attacks on officials, vital governmental buildings/ infrastructure in the state which led to disruption in governance led to weakening in security infrastructure in the state. ● Support by local militants to terrorists coming from across the border 																																																						
Loss of Life and Property	<ul style="list-style-type: none"> ● Loss of life of both civilian and military and property loss due to continuous tussle between security forces and militants where civilians die as collateral damage. <div data-bbox="540 1024 1333 1444" style="text-align: center;"> <p>Civilians and security forces fatalities in Jammu & Kashmir over 25 year period (1988-2013)</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Fatalities</th> </tr> </thead> <tbody> <tr><td>1988</td><td>0</td></tr> <tr><td>1989</td><td>100</td></tr> <tr><td>1990</td><td>1000</td></tr> <tr><td>1991</td><td>800</td></tr> <tr><td>1992</td><td>1000</td></tr> <tr><td>1993</td><td>1200</td></tr> <tr><td>1994</td><td>1250</td></tr> <tr><td>1995</td><td>1250</td></tr> <tr><td>1996</td><td>1400</td></tr> <tr><td>1997</td><td>1709</td></tr> <tr><td>1998</td><td>1200</td></tr> <tr><td>1999</td><td>1300</td></tr> <tr><td>2000</td><td>1400</td></tr> <tr><td>2001</td><td>1600</td></tr> <tr><td>2002</td><td>1300</td></tr> <tr><td>2003</td><td>1000</td></tr> <tr><td>2004</td><td>800</td></tr> <tr><td>2005</td><td>700</td></tr> <tr><td>2006</td><td>500</td></tr> <tr><td>2007</td><td>300</td></tr> <tr><td>2008</td><td>200</td></tr> <tr><td>2009</td><td>150</td></tr> <tr><td>2010</td><td>100</td></tr> <tr><td>2011</td><td>100</td></tr> <tr><td>2012</td><td>50</td></tr> <tr><td>2013</td><td>81</td></tr> </tbody> </table> </div> <ul style="list-style-type: none"> ● Figure: It shows the trend in total yearly civilian and security forces fatalities from militancy-related violence over 25 years from 1988 to 2013. 	Year	Fatalities	1988	0	1989	100	1990	1000	1991	800	1992	1000	1993	1200	1994	1250	1995	1250	1996	1400	1997	1709	1998	1200	1999	1300	2000	1400	2001	1600	2002	1300	2003	1000	2004	800	2005	700	2006	500	2007	300	2008	200	2009	150	2010	100	2011	100	2012	50	2013	81
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Social Impact	<ul style="list-style-type: none"> ● Feeling of alienation with the rest of the country. ● Radicalisation in Kashmiri youth where Pakistan is trying to raise anti-India sentiment among the people of Kashmir by spreading false propoganda against India. 																																																						

Governance Impact	<ul style="list-style-type: none"> • In the midst of conflict situation day to day, governance gets impacted which further leads to a reduction in the belief and trust of the public in democratic values and institutions.
Economic impact	<ul style="list-style-type: none"> • Lack of employment and economic opportunities as industries are apprehensive of setting up in such regions where conflict exist thus job creation is so low. • Loss of revenue due to tourism- Jammu and Kashmir was the greatest tourism venue in the world but terrorism has damaged it badly. Tourist arrivals have gone down from 12,000 to 250 per day and hotel occupancy is around 3 per cent in 2016. • Lack of adequate infrastructure creation and the existing infrastructure being destroyed by the militants.
Kashmiri Pandits Issue	<ul style="list-style-type: none"> • The exodus of the Kashmiri Pandits from the Kashmiri valley in the early 1990s due to the growing militancy and the question of their homecoming ever since has been both a political and emotional issue. Many efforts have been made for their return to Kashmir would essentially face the following issues: <ul style="list-style-type: none"> ○ An assurance of security of life and property for all people who return. ○ Townships in the absence of livelihood opportunities are meaningless. Recreating that environment will be a very tough challenge. • Previous efforts were made to resettle Kashmiri Pandits in 2007 under a government job scheme but many people who returned said that they are not happy. • They live in migrant colonies and do not have basic amenities like a ration card or even a voter ID card. • Some Pandit families in exile remain fearful about continuing threats and wonder about the wisdom of relocating themselves for a second time when the outcome is uncertain, and their children have developed roots elsewhere in India. • Thus, their exodus due to Kashmiri militancy has led to Kashmiri pandits living in a poor condition away from their homeland.

CHALLENGES IN DEALING WITH KASHMIRI MILITANCY

Pakistan Factor	<ul style="list-style-type: none"> • It appears that Pakistan controllers are finding it challenging to send weapons and militants across the border because of the increased vigilance and border fencing. • India's aggressive response to the trans-border misadventures of Pakistani forces seems to have changed the perception on the other side. They believe that any misadventure will be met with massive retaliation. • Further, they are facing global condemnation as a terror-sponsoring country and are facing possible Financial Action Task Force (FATF) sanctions.
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	<ul style="list-style-type: none"> • The global mandate is against terrorism, so it is not as easy for them to stage major terrorist attacks. However, their strategy involves keeping a limited number of foreign terrorists active in diverse areas as catalysts. • They keep the population on the boil, keep public passions high and abet people for stone-pelting.
Local Militants	<ul style="list-style-type: none"> • Subduing local militancy and cutting off the external support is a major challenge for the governmental organisation and armed forces. • Simultaneously capacity building of the forces and ensuring adequate availability of weapons and military infrastructure so as to have a strong defence against terrorist activities.
Perception Building	<ul style="list-style-type: none"> • It becomes a little difficult to counter web-based false propaganda and misinformation due to lack of territorial jurisdiction. • Youth who are radicalised and misdirected becomes a major challenge to be reintegrated with society, also hero-making and celebrating killing of terrorists like Burhan Wani gives impetus to further spread of the ideology of the terrorists.
Deficit of Economic Avenues	<ul style="list-style-type: none"> • Poor employment options and a deficit of economic avenues/ industries in the state further increase the discontent of people having a low standard of living. • This was especially perpetuated by the presence of Article 370 because of which no industrialist or entrepreneur from outside the state could get land and permit to set up a business which retarded the growth of the state to a major extent.
Lack of democratically elected stable government	<ul style="list-style-type: none"> • Governments in Jammu and Kashmir come and go, which creates political instability and thus poor governance which further perpetuates social and economic inequalities in the state. • Many a time questions were raised on the legitimacy of the elections held, for example, 1987 elections were considered to be rigged in favour of one party and such accusations have surfaced many times.

STEPS TAKEN BY GOVERNMENT

Special Status under Constitution	<ul style="list-style-type: none"> • Article 370, along with Article 35A, defined that the Jammu and Kashmir state's residents live under a separate set of laws, including those related to citizenship, ownership of property, and fundamental rights, as compared to residents of other Indian states. • As a result of this provision, Indian citizens from other states could not purchase land or property in Jammu & Kashmir thus protected the rights of the natives. • But such provisions are now removed and revoked as many flaws existed in these provisions and is now superseded by the new legislation.
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<p>Announcement of promulgation/ Abolishing Article 370 and Article 35A</p>	<p>On 5th August 2019, the government of India took the following steps:</p> <ul style="list-style-type: none"> ● Promulgated the Constitution (Application to Jammu and Kashmir) Order, 2019. The order abrogated provisions in Article 370 which granted special status to J&K. ● Introduced the Jammu and Kashmir Reorganisation Act 2019. As per the provisions of the Act, the state of J&K would now be bifurcated into two Union territories – Jammu and Kashmir, which will have a legislature, and Ladakh, which will be without a legislature. Both of them will be administered through a Lieutenant Governor. ● Jammu and Kashmir Reservation (Second Amendment) Bill, 2019 was also introduced to extend the reservation for Economically Weaker Sections (EWS) in educational institutions and government jobs in Jammu and Kashmir. ● All these provisions would be implemented from 31st October 2019.
<p>Jammu and Kashmir Reorganization Act, 2019:</p>	<ul style="list-style-type: none"> ● The Act recognizes the state of Jammu and Kashmir into the Union Territory of Jammu and Kashmir with a legislature and the Union Territory of Ladakh without a legislature which will come into effect on 31 October 2019. ● The Union Territory of Ladakh will consist of Kargil and Leh districts and the Union Territory of Jammu and Kashmir will consist of the remaining territories of the existing state of Jammu and Kashmir. Some of the important provisions of the bill are as follows: <ul style="list-style-type: none"> ○ Union Territories of Jammu and Kashmir and Ladakh will be administered by the President through an Administrator appointed as the Lieutenant Governor. ○ Union Territory of Jammu and Kashmir will have a Council of Ministers (The strength of the Council of Ministers should not be more than ten per cent of the total number of members in the Assembly). ○ The Council will aid and advise the Lieutenant Governor on matters that the Assembly has powers to make laws. ○ There will be a single common High Court (i.e, the High Court of Jammu and Kashmir) for the Union Territories of Ladakh and Jammu and Kashmir. ○ Advocate General will provide legal advice to the government of the Union Territory of Jammu and Kashmir. ○ The central government will appoint Advisory Committees, for various purposes, including: <ol style="list-style-type: none"> 1. Distribution of assets and liabilities of corporations of the state of Jammu and Kashmir between the two Union Territories, 2. Issues related to the generation and supply of electricity and water, and 3. Issues related to the Jammu and Kashmir State Financial Corporation.

	4. These Committees must submit their reports within six months to the Lieutenant Governor of Jammu and Kashmir.
Himayat Scheme	<ul style="list-style-type: none"> • Himayat is a placement linked skill training programme for unemployed youth of Jammu and Kashmir and is being implemented by the Himayat Mission Management Unit, J&K State Rural Livelihoods Mission (JKSRLM), Govt of J&K. The Programme is an outcome of the recommendations of Dr C. Rangarajan Committee report submitted to the Hon'ble Prime Minister on 24th February 2011 which suggested a scheme of Skill Development for school/college dropouts. • Himayat – a Skill Development Programme for the youth is under implementation since 2011. The Report suggested increasing employability of youth by improving their skill-sets and providing support for placement and self-employment. • Youth will be provided free skill training for a duration of 3 to 12 months, in a range of skills for which there is good market demand. At the end of the training, the youth are assured of a job and there is one-year post-placement tracking to see how they are faring.
Udaan scheme	<ul style="list-style-type: none"> • Udaan is a Special Industry Initiative for Jammu & Kashmir in the nature of the partnership between the corporates of India and Ministry of Home Affairs and implemented by National Skill Development Corporation. • The programme aims to provide skills training and enhance the employability of unemployed youth of J&K. The Scheme covers graduates, postgraduates and three-year engineering diploma holders. • It has two objectives: <ol style="list-style-type: none"> 1. To provide an exposure to the unemployed graduates to the best of Corporate India. 2. To provide corporate India with exposure to the rich talent pool available in the State.
Extension of 85 Central Government Schemes	<ul style="list-style-type: none"> • Centre launched 85 people-oriented development schemes, like PM-KISAN, PM-KISAN-Pension, Pradhan Mantri Jan Dhan Yojana and Stand-Up India, in Jammu and Kashmir which were earlier not being implemented due to the presence of Article 370.
Schemes like 'Nai Manzil' and 'USTAAD'	<ul style="list-style-type: none"> • Nai Manzil Scheme is an integrated Education and Livelihood Initiative for the Minority Communities. • The scheme aims to benefit the minority youths who are school-dropouts or educated in the community education institutions like Madrasas, by providing them an integral input of formal education (up till Class VIII or X) and skill training along with certification.

	<ul style="list-style-type: none"> • USTAAD (Upgrading the Skills and Training in Traditional Arts/Crafts for Development) scheme aims to preserve the rich heritage of traditional arts and crafts of minorities and build capacity of traditional artisans and craftsmen.
Protection of Human Rights in J&K	<ul style="list-style-type: none"> • The Security Forces are under instructions to respect the human rights of all people and work steadfastly with a humane face while performing their day-to-day operational duties. • Every reported case of alleged human rights violations are taken serious note of, and investigation is done promptly in a transparent manner.
Surrender and Rehabilitation Policy	<ul style="list-style-type: none"> • The objective of this Rehabilitation Policy is to offer facility to those terrorists who undergo a change of heart and eschew the path of violence and who also accept the integrity of India and Indian Constitution to encourage them to join the mainstream and lead a normal life and contribute towards prosperity and progress of the State as well as the Nation. • The policy is intended to facilitate the return of ex-militants who belong to J&K state and had crossed over the PoK/Pakistan for training in insurgency but have given up insurgent activities due to a change of heart and are willing to return to the State.
International cooperation	<ul style="list-style-type: none"> • At the bilateral level, India and Pakistan started <i>Karavan-e-Aman</i> (<i>Caravan of Peace</i>), a bus service connecting Srinagar (Jammu and Kashmir) and Muzaffarabad (Azad Kashmir), was started in 2005. • In 2006, a second bus line started between Poonch (Jammu and Kashmir) and Rawalakot (Azad Kashmir). • In 2008 trade started on these routes, opening Jammu and Kashmir's traditional trading centres to the west for the first time since 1947. • The trade is tightly regulated. During times of heightened tension, the routes are closed, such as was the case from July to August 2016. • The "Neemrana dialogue" was launched in 1991 as a track 2 initiative between India and Pakistan. Due to the Mumbai attacks, Uri attack and the following 2016 Indian Line of Control strike, there were no official talks between the two countries until April 2018. Topics discussed in the dialogue interaction in 2018 included Kashmir, Siachen conflict and the Line of Control situation. • Earlier under the Shimla Agreement (1972), both countries undertook to abjure conflict and confrontation which had marred relations in the past, and to work towards the establishment of durable peace, friendship and cooperation. • United Nations has played an important role in maintaining peace and order in Jammu and Kashmir soon after the independence of India and Pakistan in 1947 when a dispute erupted between the two States on the question of Jammu and Kashmir.

	<ul style="list-style-type: none"> • India took this matter to the UN Security Council, which passed resolution 39 (1948) and established the United Nations Commission for India and Pakistan (UNCIP) to investigate the issues and mediate between the two countries. • Following the cease-fire of hostilities, it also established the United Nations Military Observer Group for India and Pakistan (UNMOGIP) to monitor the cease-fire line. • However, India maintains that this Group is redundant following Simla Agreement during which both India and Pakistan agreed that the boundary disputes will be solved bilaterally. • Support from other countries-Russia has backed India's move to change the provisions of Article 370 and has stated that the reorganisation of J&K is an internal matter of India. Several other countries like USA, UAE etc have called it an internal matter of India.
People to People Contact Across LoC (Confidence Building Measures)	<ul style="list-style-type: none"> • Cross LoC Travel- A fortnightly bus service was started across LoC in 2005. Taking into account the good response to these Confidence Building Measures (CBMs) from both sides of the LoC, the fortnightly bus services on both the routes were converted into a weekly service in 2008. • Cross LoC Trade between J&K and PoJK (Pakistan occupied Jammu and Kashmir)- Upgradation of Trade Facilitation Centre (TFC) Sites at Salamabad and Chakan-da-Bagh and Border Haats being created for the purpose of cross border trade.

WAY AHEAD:

Bringing Development to the Region	<ul style="list-style-type: none"> • Infrastructure development in a sustainable manner in Kashmir and militancy affected areas so as to boost the standard of living of people. • Special focus on political security and accelerated socio-economic development in a holistic manner so as to reduce income inequalities. • Political parties must strengthen democratic values, problems should be resolved with discussion, debate and deliberation between various stakeholders. • Decentralization of powers in a democratic manner and promotion of participative democracy in the region, proper usage of 73rd/74th constitutional amendment act will ensure proper solving of people's grievances thereby reducing militancy appeal.
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<p>Cultural Sensitization</p>	<ul style="list-style-type: none"> • Ensuring cultural interaction with the rest of the country and socio-economic development that promotes inclusive development in a comprehensive manner, sensitising people about the north eastern states, tribal communities and their way of life, providing value-based education in schools and colleges so as make them tolerant towards all the section of the society. • For example, Ek Bharat-Shreshtha Bharat scheme of government to promote understanding of culture, language, cuisine, art of other states which is distinct from one's own state. • Ek Bharat-Shreshtha Bharat programme aims to actively enhance interaction between people of diverse cultures living in different States and UTs in India, with the objective of promoting greater mutual understanding amongst them.
<p>Solving Security Issues</p>	<ul style="list-style-type: none"> • Promote local resistance groups on lines on 'Village Defence Committees' in J&K. • Posting of competent and motivated police officers/ armed personnel in militancy affected areas. • Coordination & Intelligence Sharing- Greater coordination between central forces and state forces for better tactical response. Improved intelligence gathering and its use in a timely and actionable manner. State police and central forces should cooperate on intelligence sharing, investigation and operations against militants. Tightening control on the availability of explosives, drugs and counterfeit notes in the valley and Strengthening local intelligence units. • Modernization and upgradation of state police infrastructure, weapons and technical equipment. • Smart Border Management system can stop border infiltration and protect from militants which reside in neighbouring countries. Comprehensive integrated border management system can be very beneficial in weeding out such insurgents. • Capacity Building of State forces and local police should be done by providing them with proper training and equipment so as to ensure them to be primary protectors against any local insurgent activities.
<p>AFSPA and Strong criminal Justice System</p>	<ul style="list-style-type: none"> • Time-bound conviction of arrested criminals must be ensured through vital reforms in the criminal justice system. • Cases, where powers under AFSPA have been abused, should be dealt with as soon as possible and the culprits should be penalized so as to ensure justice to the victim. • Removal of AFSPA is not a viable option as it would reduce the morale of the forces who are at the ground level fighting the menace of militancy. • Rather the government should work on sensitisation of forces.

Psychological Operations	<ul style="list-style-type: none"> Administration should engage with the public at large, civil society, NGOs to restore people's faith and confidence in the government machinery.
Reforms in Criminal Justice	<ul style="list-style-type: none"> Strict law and fast criminal justice system for quick disposal of insurgent attack cases. Zero tolerance policy shall be used to deal with those insurgents who have performed acts of violence while providing Surrender option to others who are not hardliners.
Skill Development	<ul style="list-style-type: none"> Skill development schemes and their benefits should be extended to the northeastern states and particularly in those areas where human development is very poor so as to provide them with economic avenues which can ensure an adequate standard of living. Capacity-building measures in North east to be promoted so as to make people residing to not be deprived of the fruits of development. Ensuring skill development programmes are run properly in the northeastern states which will provide livelihood opportunities to the people living in the north east. Schemes like National Rural livelihood mission/ Deen Dayal Upadhyaya Antyodaya yojana (DAY) can be utilised for skill development of citizens of the north east.
Tapping Tourism Potential	<ul style="list-style-type: none"> Many believe that this move by the government will help improve internal security. It is expected that better security conditions will help in tapping the tourism potential of the region & provide employment opportunities to locals.
Talks with Pakistan	<ul style="list-style-type: none"> The doors for peace talks should be kept open with Pakistan where only bilateral deliberation on the problems of Kashmir should be done with Pakistan, no third-party involvement on this issue. As Pakistan is widely considered as a trouble maker in Kashmir, completely shutting it out will only make matters worse rather than improving the ground situation.
International Cooperation	<ul style="list-style-type: none"> Promotion of cooperation and support at the international level so that Pakistan should not take advantage of the situation in Kashmir. Also, SAARC as a platform could be used to enhance cooperation on finding resolution of issues of cross border terrorism which affects the region in general and Indian Kashmir in particular.
Kashmiri Pandits	<ul style="list-style-type: none"> Kashmiri Pandit community has the right to go back to its original state and live peacefully without feeling threatened. But this problem can only be solved if the issue of separatism is addressed. That needs a rethink on political, economic and cultural policies.

	<ul style="list-style-type: none"> • The government has to initiate rehabilitation and relocation of the displaced Kashmiri pandits who migrated to other parts of India and also ensuring their civil rights are protected.
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CONCLUSION

- While the phenomenon of a rising level of radicalisation, a strong sense of separatism, continuing alienation and anti-India feeling in Kashmir are a reality, there are many layers to the prevalent sentiment of dissatisfaction and unrest.
- The anger of the youth is more about the trust-deficit which has intensified in the absence of a proper dialogue or engagement.
- Grievances with the civil administration fears about dilution of autonomy, lack of employment and economic opportunities, near collapse of tourism and the handicraft industry, shoddy civilian infrastructure and basic utilities, poor academic infrastructure, corruption, nepotism and angst with routine discomforts arising out of their interface with the armed forces (including the use of pellet guns -since resolved, other forms of alleged or perceived military high-handedness) form a significant component of the youth resentment.
- The restructuring of J&K will lead to a closer integration of the region with other parts of India. It also provides an opportunity for new investments and infrastructure in the region.
- The Centre should ensure that adequate steps are taken to improve security in the region, alleviate the fear of local community and mainstream the Kashmiris in the Indian development story.
- But the decision to abrogate Article 370 was taken without consultation with the Kashmiri people. It may alienate the people of J&K and may further radicalize the local youth and perpetuate militancy in Kashmir Valley.
- Security Forces are under instructions to respect the human rights of all people and work steadfastly with a humane face while performing their day-to-day operational duties. Every reported case of alleged human rights violations are taken serious note of, and investigation is done promptly in a transparent manner.
- It is the ultimate responsibility of the Union Government to take into consideration the legitimate grievances of the local population and arrive at a consensual decision that shall maintain the unity and integrity of the nation along with its secular credentials.

4. INSURGENCY IN NORTH-EAST INDIA

<p>CONTENTS:</p> <ol style="list-style-type: none"> 1. Introduction and What is Insurgency 2. Historical background of north east insurgency with respect to various states. 3. Causes/reasons behind conflicts 4. Role of neighbouring states. 5. Government steps to curb insurgency 6. Reasons for decline in insurgency. 7. Steps taken by the government 8. Way forward 	<p>Syllabus - GS III - Internal Security</p>
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What is insurgency?

- It is a prolonged struggle carried out immaculately step by step in order to achieve specific objectives leading finally to overthrow the existing order.
- For instance, in the state of Nagaland, National Socialist Council of Nagaland (NSCN-Isakmuivah and Khaplang) both insurgent groups are fighting for greater Nagaland; in the state of Assam, Bodo rebel groups are fighting for Bodo land etc.
- Thus, insurgency is an organized armed struggle by a section of the local population against the state, usually with foreign support. Its goals may be seizure of power and replacement of the existing regime or even liberation of a defined area.

About North East India

Geography of North East: Northeast India is the eastern-most region of India. It is connected to mainland India via a narrow corridor (Siliguri corridor/ chicken neck problem) sandwiched between nations of Bhutan and Bangladesh.

It comprises the contiguous **Seven Sister States** (Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura), plus the Himalayan state of Sikkim.

The North-East, home to 3.8% of the national population, occupies about 8% of India's total geographical area.

Strategic Importance of North East: Northeast India has an extraordinarily important international strategic dimension and is a vital part of the nation's defence architecture.

- **Role in foreign policy and territorial sovereignty:** North east Indian region shares a border with China, Myanmar and Bangladesh and is a gateway to the south east Asian region, thus providing with many economic and trade benefits. It has been seen in the past that Chinese interference in Indian territories has happened thus it becomes important for the government to conserve its territorial sovereignty. Japan has emerged as a major partner in our efforts for the development of the North-East and connectivity to ASEAN.

- **International Border:** These states share their borders with other countries like Bangladesh, Bhutan, Myanmar and China. It makes up close to 40% of India's land borders with its neighbors which creates a vulnerability of infiltration of insurgents due to porous and open borders.
- **Bridge to South East Asia:** The region is at the crossroads of India and Southeast Asia. It is a bridgehead between India and the vibrant economies of Southeast Asia, including southern China.

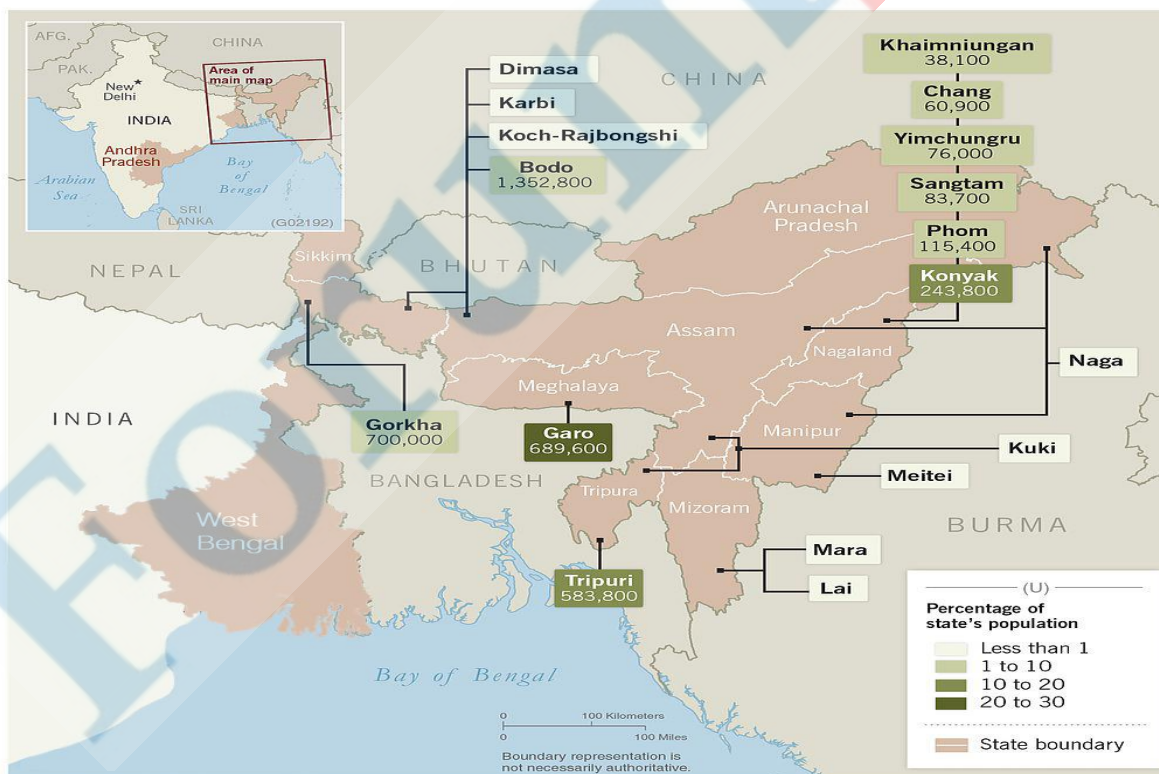
Economic Significance: North East is endowed with huge natural resources (oil, gas, coal, hydro, fertile land, etc.) which can be harnessed for national growth and development.

Cultural and ethnic similarities which exist between tribes living in India and those living on the other side of border i.e. Naga's living in Myanmar, due to the presence of such similarities these tribes consider to have more similarity existing between them and those which are living across the border vis-à-vis with different tribes living within the same state.

Unity in diversity- Also, there exists a unity in diversity as the north eastern states are filled with diversity of various tribes, these states are not having homogenous population rather they have a diverse set of cultures, ethnic and linguistic differences which makes them unique in their own way but still they are a part of Indian union. Certain provisions of constitution like Article 371, 5th schedule, 6th schedule provide autonomy to this region and its various states so as to conserve their culture and way of life.

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(U) Northeastern India: Groups Renewing Separatist Demands Since Summer 2013



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Figure: It shows various areas and tribes of north east where feeling of separatism is strong.

Historical background of the north east insurgency

North East India is a rich and diverse region both culturally and linguistically. Under the British rule their socio-political structure was unaffected as Britishers followed a policy of non-interference in their customs and practices. Also, strong cultural nationalism, strong sense of identity, demand for autonomy have always existed in the tribes living in north eastern states which later led to the emergence of insurgency.

Nagaland

- **Main demand-** Separation from India and creation of greater Nagalim which overlaps many Indian states and Myanmar's territories.
- Insurgency in Northeast region began at different points of time. Initially, it started in Naga Hills which is now a separate state of Nagaland. AZ Phizo led the Naga movement, who did not want to join the Indian Union. He claimed that Nagaland had never been a part of Indian territory.
- Thus, on the eve of independence, the idea of insurgency took shape in the Naga Hills and thereafter it spread in the region. The root cause of insurgency in Naga Hills is found in the political history of this region.
- The British did not interfere in the administration of Naga Hills area. Consequently, Naga Hills remained isolated from the Indian mainstream and people residing in this area never identified themselves as 'Indians'.
- This encouraged the educated Naga people to think about independence. The literate Naga people formed a club known as 'Naga Club' with an intention to discuss their problems with British. In 1929, they proposed their demand of sovereignty before Simon Commission, which was prompted by a determination to protect their traditional way of life based on customary laws.
- Local people from Nagaland formed Naga National Council (NNC) which declared independence in 1954 which followed armed response from Indian state.
- Later negotiations began which resulted into separate statehood in 1963. By this time Indian forces had used force on Nagas and this caused resentment which revived voice of separatism. Peace accord was signed in 1975 and Shillong Agreement was signed, thus the top Naga leaders joined civilian politics. Still the movement continued and later formed National Socialist Council of Nagaland (NSCN).
- Some Nagas claim the surrounding areas of Manipur, Assam, Arunachal Pradesh and Myanmar to be part of their Greater Nagalim.
- They claim this area to be greater Nagaland. This new group also drew cadres from these areas. Overtime, many factions developed in this group as Nagas again have diversity within them.
- Government has engaged in talks with two main factions – **NSCN (I&M)** and **NSCN (K)**. But factionalism is a big drag on the development as one's claim is over others and no one wants to settle it with less share.

Mizoram

- **Main demand-** Secession and formation of a separate state.
- In late 1950, devastating famine arrived in Mizoram and state of Assam failed to provide timely relief. This resentment snowballed into violence which led to formation **Mizo National Front (MNF)** in 1966 which called for a separate Mizoram State.
- This led to armed struggle and in 1972 Mizoram Union Territory was carved out of Assam.

- After this, gradually leaders of MNF defected to constitutional politics and movement became weaker and weaker.
- In 1986 Mizoram got status of state and MNF became the ruling party with its leader Lal Denga. Since then this party is popular choice and largely successful in improving the quality of public services.
- It was a part of the state of Assam before it was granted statehood in 1987, experienced militancy after the Union government failed to respond positively to its demand for assistance during the massive "Mautam famine".

Manipur

- **Main demands-** Inner line permit issue, removal of outsiders from hill regions and formation of a separate state.
- Ethnic indigenous population here is of 'Meitei' people. **Nagas and Kukis** are also present in states.
- State negotiations with nagas demarcating area in their favor led to backlash from Meitei people and they formed **United National Liberation Front (UNLF)** in 1964.
- After this there have been crackdowns on this group once it disappeared and re-emerged in name of People's Liberation Army (PLA) in 1978.
- Again, it was repressed harshly but finally it came back again in its original UNLF avatar. In 2010 its leader was arrested on Nepal Border and from then on, this group is in dormancy.

Assam

- **Main demand-** Multiple statehood demands and demand of separate nations also.
- British had separate policies for two parts of Assam. For highlands it maintained policy of relative isolation and here population was ethnic Assamese, they classified this as tribal area.
- Statehood demands in Assam - **Bodoland, KarbiAnglong, Dimaraji, Kamtapur**.
- In contrast, lowlands or plains were largely Hindi speaking; this was non-tribal area and was fully exploited by British.
- In these areas their bureaucracy relied completely on Bengali immigrants for labour which were Bengalis, Bihari, and Non-Bengali Muslims. After independence there was a continuous stream of illegal immigrants from Bangladesh.
- This overtime gave Assamese population a diverse character like any other big cities of India.
- First time violence spread in the 1970's when it appeared that illegal migrants have got into electoral rolls and Native Assamese parties will from now on loose elections.
- This led to the creation of **United Liberation Front of Assam (ULFA)** and some other similar groups. Then this followed counter insurgency and finally Assam accord was reached in 1985 between different parties and government. ULFA kept out of this accord.
- But this time there emerged nexus between ruling party and ULFA which alienated migrants. Ruling party was not accommodative of migrants and they treated illegal and legal migrants alike.
- This caused counter mobilization of another Assamese Ethnic group, Bodos. They formed All Bodo Student Union and escalated violence against ethnic Assamese people.
- They also raised demand for separate state Bodoland. This demand could not be met because no ethnic group is in outright majority in a particular area.
- Later in negotiations government offered a **Bodo Territorial Council**, but this was rejected by Bodos.

- Bodos have largely maintained peace from long, but ULFA got divided into factions and it recently unleashed deadly attack on Adivasis killing 70 of them.

Tripura

- **Main demand**- Removal of outsiders from Tripura.
- Local people became minority due to migration from Bengal. In 1978, Tripura National Volunteers was formed and began attacking other ethnic groups.
- Here too, this group was brought down by state response and in **1991 National Liberation Front of Tripura (NLFT)** began attacks.
- Since then here violence has been factionalized and there's reprieve from last few years.
- Migration of Hindus from the British-ruled East Bengal is believed to have been responsible for reducing the indigenous tribal people in the state to minority status; this development sparked a violent backlash among the indigenous people.
- Militant groups sprang up in the state demanding the restoration of the tribal rights from the Bengali population.

Reasons/ Causes for conflict/insurgency in North East India:

- **Governance issues**- Lack of adequate cooperation between these states and the central government. Also, those who later became insurgents in the formative and initial years of their movement, voiced genuine grievances of the people such as poor governance, alienation, lack of development and an apathetic attitude from the central government in New Delhi. However, with time and opportunist motives, these have taken forms of insurgencies across the region.
- **Economic issues** - Lack of economic opportunities and governance deficit making it easier for people to feel alienated and left out and thus providing support for insurgency. Low growth rate, high unemployment, poor existing infrastructure, poor connectivity with the rest of India further creates a sense of alienation in the minds of locals.
- **Tough terrain and Geographical reasons** - Difficult terrain and weak infrastructure facilitating insurgents involved in conflict as they are able to hide and this gives them an advantage where they can utilize hilly areas for guerrilla warfare etc.
- **Security operations**-Porous international borders with Myanmar and Bangladesh and easy availability of arms cause difficulty due to tough terrain from where the insurgency can easily escape to foreign soil which acts as a safe haven this has led to migration of many dangerous terrorists to foreign soil and making security operations more difficult to undertake.
- **Feeling of Alienation from the rest of the India**–These states are not connected properly with the Indian mainland. Feeling of discontent due to alienation and deprivation among the tribal population.
 - ❑ Northeast India is home to more than 50 ethnic rebel groups – a few demanding complete secessions from India ie. Naga's which demand their greater nagalim, others fighting for ethnic identities and homelands and some running the insurgency as an industry to spin easy money without any political ideology.
- The **broad racial differences** between India and its Northeast and the tedious geographical link (the chicken neck Siliguri Corridor) contributed to a sense of alienation, a feeling of 'otherness' that subsequently gave rise to a political culture of violent separatism for example, Mizo tribes among others got separated due to the geographical distance.

- **Easy availability of weapons and drugs** in north east due to cross border support and existence of **golden triangle** which is a triangular area formed when 3 countries are connected i.e. Thailand, Laos, Cambodia, which are in proximity to the north east India which helped in providing drugs to the population of north east who were controlled by the insurgents.
 - ❑ They get the youth under the influence of such drugs thus making them easily susceptible to be indoctrinated and brainwashed and used for wrong purposes like perpetrating violence, smuggling etc.
- **Politico-economic factor**- The inter-tribal conflicts, the youth unemployment and the inability to compete with migrant businesses for example, Marwari and Bengali merchants, illegal migration from neighbouring States and countries leading to the competition for resources and land which has led to various conflicts and demands of secession/ autonomy.
- **AFSPA (Armed Forces Special Power Act)** - Special powers under **AFSPA (Armed Forces Special Powers Act)** were bestowed on armed forces to deal with emergency conditions. It exists in the whole of Assam, Nagaland, Manipur except Imphal municipal area, and some areas of Arunachal Pradesh. Deep sense of alienation due to human right violation and excesses by security forces exist in the locals.
- **British rule** -As these areas were loosely administered under British India, where Britishers maintained policy of isolationism as it ensured that the hill tribal people stay disconnected from mainland India.
 - ❑ This created a feeling of independence in the minds of north east tribes who wanted to live by their own customs and did not want to submit to an Indian state.
 - ❑ But due to the efforts of our founding fathers they were integrated into the union of India and those who didn't accept such move took up arms to revolt against India state so as to their demand of separate state or nation to be met with.
- **Local tensions** - Tensions between tribal people, who are natives of these states, and migrant peoples from other parts of India. Regular demands of **inner line permit** system get voiced in these regions by the hill people or the tribal which restricts the entry of outsiders/plain people.

Inner Line Permit (ILP) is an official travel document issued by the Government of India to allow inward travel of an Indian citizen into a protected area for a limited period. It is obligatory for Indian citizens from outside those states to obtain a permit for entering into the protected state.

- **Role of external parties**- Constant support provided by the external players like china etc. to the insurgents in terms of arms training, weapons and money to cause internal instability in the country has also become one of the reasons why so many conflicts exist in the north eastern region.
- **Issue of Autonomy**- Autonomy to few of the north eastern states given under 5th/6th schedules could not have been passed in the manner as intended. Allegations of interference by state and central government have surfaced time and again for example, the **three Autonomous District Councils (ADC) of Meghalaya** have urged the **National Commission for Scheduled Tribe** to direct the State government not to interfere into their affairs.
- **Cross border ethnic similarities** exist between tribes in north east and their kin across the border. This becomes a reason because earlier under the unified chiefdoms these tribes used to live but now due to formation of countries tribes got separated with their kins due to national and international borders an

example of this is Nagaland where Nagas reside in Myanmar and India both, their ethnic ties creates a feeling of discontent due to forcible separation which has been caused due to formation of international boundary and also separation of different tribes of Nagas in different northeastern states ie. Manipur, Assam etc.

- ❑ Thus this feeling of separation, even though cultural and ethnic ties existing between them causes a feeling of discontent in the local tribes in north eastern states and also, this becomes the reason behind the demand of forming a greater Nagalim where nagas living in various states and countries can live in a separate state of its own which is unified.

Role of neighbouring states in India's Northeast/ security implication

- Numerous ethnic groups in the region especially in the bordering areas of the international boundary have more in common with the population living across the boundary than with their own fellow citizens. The social relationships that exist across the border have led to demands by the fringe groups to redraw international boundaries and also to reorganize states within the Indian Union.
- Many a times due to external manipulations and support, these fragmented ethno-political groupings have taken up weapons and have adopted a confrontational approach with the state and central administration to get their demands of secessionism met.
- Resolution of conflicts at the internal level has been affected by such external involvement. This has had tremendous impact on the overall security situation in India.
- Countries surrounding India have been active in exploiting the volatile situation presented by the turmoil in the northeast. Not only countries such as China, Pakistan, Bangladesh and Myanmar, but also smaller powers such as Bhutan and Nepal have been involved in the region. Through political and economic assistance, logistic support, military training or supplying weapons these countries have contributed to the ongoing violence in this region.

Bhutan:	<ul style="list-style-type: none"> ● India has porous borders with Bhutan, the militant groups from Assam have many times sought refuge in Bhutanese territory. ● In 1990 India launched Operations <i>Rhino</i> and <i>Bajrang</i> against Assamese separatist groups. Facing continuous pressure, Assamese militants relocated their camps to Bhutan. ● It is difficult for Indian security forces to handle these groups operating from Bhutan. At least 4,000 cadres of the United Liberation Front of Asom (ULFA) and more than a thousand tribal Bodo militants from Assam are estimated to have crossed the borders and are based in camps in southern Bhutan. ● Bhutan has cooperated with India in uprooting the militant groups from its soil. Operation All Clear 2003-04 was a military operation conducted by Royal Bhutan Army forces against Assam separatist insurgent groups. ● Recently in 2015, Bhutan has assured India that it will soon launch an operation to flush out anti-India insurgents — active in West Bengal and northeastern states — operating from Bhutanese territory. Soon Kamtapur Liberation Organisation (KLO) and many northeastern insurgent groups operating from southern Bhutan would be eliminated by Bhutanese forces.
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<p>China</p>	<ul style="list-style-type: none"> • Chinese supported insurgents in the northeast came early in the 1960s and continued through the 1970s. In May 1966, Nagas approached Peoples' Republic of China for 'any possible assistance'. The Naga fighters were given weapons training, guerrilla tactics and they were also taught Maoism in Chinese Yunan province with this their strength increased. • Border issues exist between both the countries where China claims the Indian territories in the north east as its own, i.e. Arunachal Pradesh the impact of such an issue is that China provides support to insurgent forces in the north eastern states so as to weaken India from within and take advantage of the situation and get control over Indian territories . • Chinese have time and again provided cross border support to insurgents in North East in terms of funds, materials etc.
<p>Nepal:</p>	<ul style="list-style-type: none"> • The fact that Nepal was being used as a corridor to smuggle in ISI agents has been established after the tracking down of Yakooob Memon, one of the accused in the Bombay Blast case in 1996 from Kathmandu and the hijacking of an Indian aircraft from Kathmandu revealed the dangerous face of cross-border intelligence activities targeted at Indian national security. • ISI agents have found the Nepal route to be safe to enter into the northeast and other regions from where counterfeit Indian currency and weapons are supplied to the insurgents. Matter is of grave concern for India as the militants have been taking advantage of the 1,800 km porous Indo-Nepal border to assist insurgents in North east India. • Nepal has cooperated with India in carrying out covert operations in targeting any anti-Indian activity on its soil. • Also, recently a joint military exercise Surya kiran between India and Nepal was held at Pitthoragarh, Uttarakhand to fight with unity in the direction of counter insurgency and counter terrorism.
<p>Bangladesh:</p>	<ul style="list-style-type: none"> • With the emergence of Bangladesh, the tribal insurgents operating under Pakistani intelligence cover within East Pakistan suffered a blow and their number reduced under Mujibur Rehman. • Immediately after the assassination of Mujibur Rehaman, the new regime allowed the Mizo insurgents to establish their bases in Chittagong Hill Tracts. • Due to the porosity of the borders, the northeast has also become a hotspot for large-scale migration across the borders. The ethnic ties that exist across the boundaries have traditionally facilitated the movement of people from poor states to richer neighbors. India has been the victim of large-scale in- migration from bordering countries. • Current government of Bangladesh has been very keen on improving relations with India. The Government has been cooperating with Indian Intelligence in flushing out militants in its territory. It has arrested many terrorists of ULFA, NSCN, BNDF etc and deported them to India.

	<ul style="list-style-type: none"> • However, illegal migration from Bangladesh continues to pose a challenge to internal security for example, it has been recently seen that members of the Arakan Rohingya salvation army which had been living in Bangladesh and found safe haven there tried to do infiltration across the border in India side such issues needs to be addressed by both the countries with joint cooperation. • A joint military exercise to counter terrorism, insurgency and other challenges has begun between India-Bangladesh which is known as Sampriti exercise, recent edition happened in Tangail, Bangladesh in 2019.
Myanmar:	<ul style="list-style-type: none"> • India shares a 1670 km long land border and maritime border of 200 km with Myanmar. Present-day population along the India-Myanmar border has a strong socio-cultural tie. They belong to the Tibeto Burmese race and trace their origin to the east. • The Indo-Myanmar border remains comparatively peaceful and there is no major border conflict between the two countries. However, the separatist feeling and legacy of discontent among the various tribes living near the borders still survives. • Many northeastern insurgent groups, like the Nagas, the Mizos and the Meitis, had bases in Burma as well. • Apart from the goal of promotion of border trade India and Myanmar have agreed to check movement of militants across the border. They also agreed to strengthen communication networks along the international border and have agreed to step up measures to reduce narcotics smuggling across the Indo-Myanmar border. • The two nations have deliberated launching joint operations against the militants operating out of Myanmar, 'Operation Golden Bird' 1995 was very successful and it dealt a heavy blow to ULFA. Recently a surgical strike destroyed many base camps of naga insurgents which were planning to attack the kaladana project. • Given that the vulnerability of the India-Myanmar border is posing a serious challenge to the internal security of the country, the Government of India should pay immediate attention to effectively manage this border.

Recent steps government has taken to curb insurgency**Security situation in North Eastern Region(as a whole) from 2009 onwards**

Years	Incident	Extremist killed	Extremist arrested	SFs killed	Civilians killed	Extremist surrendered	Arms surrendered	Arms recovered	Persons Kidnapped
2009	1297	571	2162	42	264	1109	420	1357	230
2010	773	247	2213	20	94	846	351	1057	214
2011	627	114	2141	32	70	491	381	973	250
2012	1025	222	2145	14	97	1195	612	1244	329
2013	732	138	1712	18	107	640	416	1180	307
2014	824	181	1934	20	212	965	151	1104	369
2015	574	149	1900	46	46	143	69	828	267
2016	484	87	1202	17	48	267	93	605	168
2017	308	57	995	12	37	130	27	405	102
2018	252	34	804	14	23	161	58	420	117
2019 (upto 31.7.19)	136	06	556	04	16	45	14	186	78

Figure shows the reduced cases of extremism/ insurgency in the north east in the past few years

Reasons for decline in *insurgency in the past few years*

- Above mentioned figure shows recent trends about Insurgency is waning in the north eastern states which can be attributed to the fact that greater autonomy has been provided to the autonomous district council, greater funds have been devolved to spend for infrastructure creation etc.
- Also, due to greater presence of security forces in Insurgency affected States,
- Loss of cadres/leaders because of arrests, surrender, desertion and peace talks with the government.
- Fatigue in the insurgents and Rehabilitation program of government and better monitoring of development schemes in affected areas.
- Also, shortage of funds, arms and ammunitions, offensive strike by the armed forces led to weakening of the moral of the existing cadres.

Decentralization and Autonomy -

- The guiding principles of government in India has been to ensure decentralization and autonomy in tribal areas recent efforts of government for the development of North East were announced also a special ministry with the name of DoNER for the development of North East region in 2004.

	<ul style="list-style-type: none"> • Ministry is responsible for matters relating to the planning, execution and monitoring of development schemes and projects in the North Eastern Region. • Its vision is to accelerate the pace of socio-economic development of the Region so that it may enjoy growth parity with the rest of the country. • Also, 5th/6th schedule of the constitution have been the guiding factors behind ensuring decentralization and autonomy being made available in this region.
Curbing extremism	<ul style="list-style-type: none"> • Government response to northeast extremism is that it wishes to follow a composite strategy in the northeast where on the one hand it wants to hold peace talks with those who wish to deal with the matters in a non-violent way and are not hardliners simultaneously dealing strictly with the heavy hand with those who are responsible for the spread of violent activities. • Government pursued a policy of dialogue and negotiation so as to ensure peace in the region where all the stakeholders are placated. • Government has created the policy of proportional use of force where it will use force in proportion to the requisite need in the region for example if there is insurmountable level of insurgency in the region government will deal with the heavy hand. • For example, the government signed a ceasefire agreement with NSCN-IM (ISAK MUIVAH) where hostilities have been stopped/seceded while the forces are on the lookout for NCSN-K (KHAPLANG) which is still belligerent against the government.
Ceasefire agreements	<ul style="list-style-type: none"> • Government has signed a ceasefire and suspension of operations with many of the insurgent groups in the region simultaneously it pursued a policy of talks and negotiations with the outfits which the path of violence and come ahead for peace talks within the constitutional framework of India. • For example, Dialogue with the M.N.F. remains the only example of the culmination of a successful peace process that ended militancy in Mizoram in 1986. Other peace deals such as the Shillong Accord in 1975 with the N.N.C. in Nagaland, the 1988 agreement with the Tripura National Volunteers in Tripura and The Bodoland Autonomous Council agreement of 1993 with the Bodo militants in Assam are also in effect, but with limited success. • Union government has ongoing ceasefire agreements with six militant groups with different actors like NSCN (IM), UPDS, Achik National Volunteer Council. And peace talks are ongoing with NSCM-IM which have been one of the largest militant groups in North East.
Economic schemes	<ul style="list-style-type: none"> • Special packages for infrastructural development of North East region was also promoted so as to provide them with financial help, allocation under

	<p>the North East Special Infrastructure Development Scheme (NESIDS) has increased from Rs 140 crore of 2018-19 to Rs 695 crore 2019-20.</p> <ul style="list-style-type: none"> ● Schemes of North Eastern Council (NEC) and North East Road Sector Development Scheme (NERSDS) - Government has also approved schemes of North Eastern Council (NEC) and North East Road Sector Development Scheme (NERSDS) at a total cost of Rs.4500 crore for 3 years i.e. 2017-18 to 2019-20. Under NERSDS, 3 (three) projects have been taken up and 1 (one) has been completed while 2 (two) are ongoing. ● North East Venture Fund (NEVF)- <ul style="list-style-type: none"> ○ North Eastern Development Finance Corporation Ltd. (NEDFi) under the Ministry of Development of North Eastern Region (DoNER) has set up the North East Venture Fund (NEVF) for North East Region. ○ The capital commitment to the fund is Rs.100.00 crore with an initial contribution of Rs.75.00 crore consisting of Rs.45.00 crore from Ministry of DoNER and Rs.30.00 crore from NEDFi. The balance fund of Rs.25.00 crore has been committed by Small Industries Development Bank of India (SIDBI) in-principle. ○ The proposals are considered by the NEVF. For investment decisions, an Independent Investment Committee is formed, comprising of experts from the field of venture capital financing, banking, technocrats and representatives of investors, which regularly monitor the implementation of the projects. ○ So far, the NEVF has approved eight proposals for start-ups in various sectors ranging from health to media with an investment commitment of Rs. 1092.5 lakh. ● Recent initiatives like Invest Assam whose objective is to promote investment in the northeast region is a good example where a state has taken the lead in the promotion of investments ● North East BPO Promotion Scheme (NEBPS), envisaged under Digital India Programme, seeks to incentivize establishment of 5,000 seats in respect of BPO/ITES operations in North East Region (NER), at an outlay of ₹ 50 Crore up to 31.03.2019, thus creating employment opportunities for about 15,000 persons considering three shifts BPO/ITES operations.
<p>Improving connectivity with India and the world</p>	<p>Government is also planning to improve road and rail connectivity in the entire region, IMT corridor is being built which will pass 3 nations India, Myanmar and Thailand from Moreh to Mae sot which will provide trade and tourism avenue. Kaladan Multi modal transport route agreement between India and Myanmar, agreement with Bangladesh which will cut short the travel time to eastern states like Tripura significantly which will promote regional</p>

	development. New transportation methods like Inland waterways can provide better transportation avenues.
Foreign policy	Look East policy and Act East policy also promoted the development of North East region where the North East region were considered to be the centerpiece of the negotiation between the two regions. Connecting the north east with ASEAN countries for trade purpose and incentivizing countries to invest in North east India for development projects.
Capacity building	Better weapons, surveillance capabilities to be provided to CAPF's so as to maintain a robust internal security framework in the north eastern region. Assam rifles is the paramilitary force which is responsible for security of north east. Have met with constitutional obligation to form Tribal Advisory council and Autonomous tribal district council which are promised as per 5 th /6 th schedule of the constitution, this has led to initiation of autonomy at local level.
Aggressive military stance when needed	Recent hot pursuit by Armed forces across Myanmar border where the insurgents were hiding shows the forces resolve to eliminate hardliners which pose a major threat against the internal security of the country. Indian defence forces should not be seen as passive and such strong operations should continue while keeping in mind the human rights of civilians are not affected at all.

Steps to be taken to curb Insurgency in the North East and Way Forward

Though the objectives, demands of insurgents in the north east is different there is similarity between the insurgency infested north-east, which is of identity and development. Hence, certain steps which are crucial so as to curb insurgency. It is the belief of the Government of India that through a holistic approach focusing on **development and security-related interventions the issue of insurgency will be nipped in the bud.**

CULTURAL SENSITISATION-	<ul style="list-style-type: none"> • Ensuring cultural interaction with the rest of the country and socio-economic development that promotes inclusive development in a comprehensive manner, sensitising people about the north eastern states, tribal communities and their way of life, providing value-based education in schools and colleges so as make them tolerant towards all the section of the society. • For example, Ek bharat, Shreshtha bharat scheme of government to promote understanding of culture, language, cuisine, art of other states which is distinct from one's own state. • Ek Bharat Shrestha Bharat' programme aims to actively enhance interaction between people of diverse cultures living in different States and UTs in India, with the objective of promoting greater mutual understanding amongst them.
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<p>MILITARY ACTION</p>	<ul style="list-style-type: none"> ● COORDINATION AND INTELLIGENCE SHARING- Greater coordination between central forces and state forces for better tactical response. Improved intelligence gathering and its use in a timely and actionable manner. State police and central forces should cooperate on intelligence sharing, investigation and operations against militants. ● AFSPA- Coordinating operations with the neighboring countries and use of force only when needed. AFSPA should be either reformed or repealed as it is one of the causes for the spread of insurgency in north east when it was alleged to be abused by the forces. Making provisions of AFSPA strict and sensitizing security forces to ensure the protection of human rights is necessary. Also, cases where AFSPA have been shown to be abused should be dealt with heavy hand and the guilty should be punished. ● Smart Border Management system can stop border infiltration and protect from insurgents which reside in neighboring countries. Comprehensive integrated border management system can be very beneficial in weeding out such insurgents. ● Capacity Building of State forces and local police should be done by providing them with proper training and equipment so as to ensure them to be primary protectors against any local insurgent activities.
<p>ADMINISTRATIVE AND GOVERNANCE REFORMS</p>	<ul style="list-style-type: none"> ● GRANTING GREATER AUTONOMY- Meeting the political aspirations of groups by giving them autonomy by implementing sixth schedule provisions, Panchayat extension to scheduled areas Act in these areas will help them to preserve their identity and culture while giving them greater autonomy in decision making at local level. Decentralization of powers while also ensuring quick response to secessionist tendencies. Autonomy in local governance to be ensured while ensuring adequate funds in the hands of such bodies for their smooth functioning. Improving administrative efficiency and providing people centric governance to the people of north east so as to assuage any discontent in the people. ● GOVERNMENT POLICIES- Policies to be made keeping in mind the specificities of a particular insurgent outfit. There should not be a standard policy for the whole of North East. Also, policies made for dealing with the insurgent groups should win the hearts and minds of the people of North East and should be based on the understanding of the root cause of insurgencies. ● ECONOMIC DEVELOPMENT- Economic development of the area should be done in a calibrated manner which means blind development should not take place rather it should be according to the felt needs of the locals. Any development should be sustainable and should have the participation and acceptance by the locals.

	<ul style="list-style-type: none"> ● GOOD GOVERNANCE- Improving Governance and delivery mechanisms of the government and administration. Transparent rules and regulations, setting up accountability, promoting e-governance to the maximum so as to enhance transparency in governance. DoNER ministry will play a pivotal role here as good governance is an essential precondition for boosting development in a region. ● MORE AUTONOMY- Ensuring that various parties with secessionist tendencies or rebel groups must also be more practical by seeking greater autonomy within the constitutional mandate rather than demanding newer states and regions based on parochial ethnic and linguistic lines, which is not acceptable. Autonomous District Councils under 6th schedule should be empowered so as to work on local grass root level thus to strengthen democratic process. ● Strengthen the North Eastern Zonal Council so as to provide a platform where the local parties can discuss their grievances. Holding meetings of the council from time to time is a necessary prerequisite and providing ample opportunities to the states for venting out their grievances and holding constructive deliberations so as to ensure the development of the region. ● Strengthening centre and state relations where north eastern states participation is to be ensured and also by providing platform for deliberation with centre like Interstate council which shall boost cooperative federalism.
DIALOGUE AND NEGOTIATION -	<ul style="list-style-type: none"> ● The pre-condition of complete abjuring of violence for holding peace talks is a flawed notion. If violence is discarded and peace is established then the need of peace talks become futile. ● Dialogue should be an ongoing process to reach concrete solutions by involving all the stakeholders and not a single group. ● MULTISTAKEHOLDER DELIBERATION-Centre and states should coordinate in decision making. In the recent agreement of the Centre with NSCN (IM), Centre failed to take concerned state governments and other groups on board, thus multi stakeholder deliberation is the need of the hour where a wider and more acceptable consensus can be reached. ● Thorough background check of all insurgent groups should be carried out before the central government enters into any Ceasefire or Suspension of Operations Agreements with the insurgents
SURRENDER AND REHABILITATION POLICY-	<ul style="list-style-type: none"> ● Strict law and fast criminal justice system for quick disposal of insurgent attack cases. Heavy hand should be used to deal with those insurgents who have performed acts of violence while providing Surrender option to others who are not hardliners.

SKILL DEVELOPMENT	<ul style="list-style-type: none"> • Skill development schemes and their benefits should be extended to the north eastern states and particularly in those areas where human development is very poor so as to provide them with economic avenues which can ensure an adequate standard of living. • Capacity building measures in North east to be promoted so as to make people residing to not be deprived of the fruits of development. Ensuring skill development programmes are run properly in the north eastern states which will provide livelihood opportunities to the people living in the north east. Schemes like National Rural livelihood mission/ Deen dayal upadhaya antyodya yojana (DAY) can be utilised for skill development of citizens of the north east.
PROMOTION OF TOURISM	<ul style="list-style-type: none"> • Local tourism should be promoted. Tourists residing in the eight North Eastern states should be encouraged to travel within the region. • Niche tourism or high-end tourism should be encouraged. Medical and higher education tourism should be encouraged. • Tribal tourism and nature tourist circuits can provide Indians from other states and from outside India to visit and can ensure greater revenue to the people of north east which can be used for their development.
RELATIONS WITH NEIGHBOUR COUNTRIES	<ul style="list-style-type: none"> • Joint operations between various security forces and ensuring healthy and friendly relations with our neighbouring countries where such insurgents hide and have created their safe havens. • For example, Myanmar and Bangladesh recently boosted their efforts to weed out insurgents breeding on their soil, their armed forces multiplied their efforts to reduce the insurgent activities happening on their soil which can hamper their relationship with India. • Integrated and bottoms up approaches are required for integration of the North east in the Look East Policy. The North East should formulate plans as to how it can engage with the ASEAN. Better coordination of efforts by all the North-eastern states should be ensured. • Centres/Departments for the studies of neighbouring countries like Myanmar, Bangladesh, Tibet, Bhutan and Nepal in Universities should be set up in universities to understand India's neighbours better.
REGIONAL AUTONOMY	<ul style="list-style-type: none"> • Regional aspirations if comes at a cost of going against India's sovereignty, integrity and unity should not be tolerated, but genuine regional demands and aspirations of people to uphold properly as India is a democratic country and the voice of every citizen matters.
INFRASTRUCTURE CREATION-	<ul style="list-style-type: none"> • Enhance communication and connectivity with the rest of the country, infrastructure improvement for better integration of the region with the mainland as till the past few years regional connectivity was very poor but in

	<p>the past few years, we have seen new routes, new ways of transportation emerging which have cut short travel time between rest of India and the northeast India.</p> <ul style="list-style-type: none"> • Special economic zones along India-Bangladesh border, especially in Meghalaya and Assam should be set up.
BALANCING ENVIRONMENT AND ECONOMY-	<ul style="list-style-type: none"> • Infrastructure creation in such areas should not be done at the cost of nature's pristine beauty. • Ensuring nature is conserved and respected while providing new economic avenues to the people of north east while simultaneously connecting them with other parts of the country.

5. LEFT WING EXTREMISM

<p>CONTENTS:</p> <ol style="list-style-type: none"> 1. Introduction 2. Philosophical background of LWE. 3. Evolution of the CPI (Maoist) 4. The Dynamics of Maoist Insurgency 5. Phases of LWE in India 6. Current status 7. Causes of LWE 8. Challenges 9. Steps taken by the government 10. Brief about Urban Naxals 11. Way forward 12. Conclusion 	<p>SYLLABUS:</p> <p>GS III: LEFT WING EXTREMISM</p>
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INTRODUCTION:

- The word Naxal, **Naxalite** or **Naksalvadi** is a generic term used to refer to various militant left-wing groups operating in different parts of India under different organizational envelopes.
- The term '**Naxal**' derives its name from the village Naxalbari of district Darjeeling in West Bengal, where the movement originated in 1967 under the leadership of Charu Majumdar, Jangal Santhal and Kanu Sanyal.
- Initially, the movement had its centre in West Bengal. In the later years, it spread into less developed areas of rural central and eastern India, such as Jharkhand, Chhattisgarh, Orissa and Andhra Pradesh through the activities of underground groups like the Communist Party of India (Maoist).
- For the past 10 years, it has grown tremendously and consists of displaced tribals and natives who are fighting against exploitation.
- The Naxals strongly believe that the solution to social and economic discrimination is to overthrow the existing political system, via violent revolution.

The young and fiery ideologies of the Marxist-Leninist movement in India formed the CPI(M-L) in 1969, envisioning a spontaneous mass upsurge all over India that would create a 'liberated zone'.

Liberated-zones: These are the areas continues to show no physical presence of the civil administration and it is an alleged hub of Naxalite-Maoist insurgency.

The Communist Party of India (Maoist) and its military wing, People's Liberation Guerilla Army (PLGA), which formed in 2000, run a parallel government in such areas.

PHILOSOPHICAL BACKGROUND OF LWE:

- The whole movement is an ideological movement based on a mixture of three ideologies—Marxism-Leninism-Maoism (MLM).
- To put it in simple way, the movement is about communist revolution to establish **socialism** and thereafter, to reach the ultimate stage of **communism**. For this, they would need to, as they claim,

overthrow the Indian State through armed struggle to capture the political power and introduce **New Democratic Revolution (NDR)** in India.

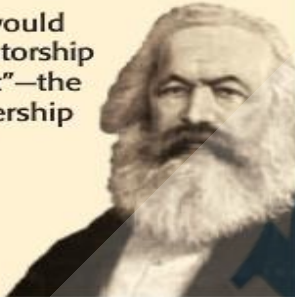
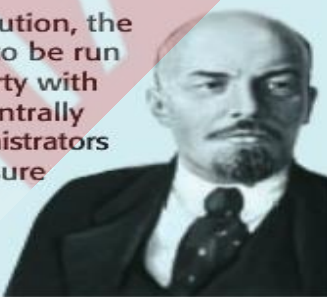


Fig. Socialism vs Communism

- In India the leftist movement also draws its ideological basis from the **Russian revolution** wherein Lenin successfully fought against the Czar through a combination of peasant movement and an armed struggle.
- However, the prime intent was to bestow power in the hands of the exploited and marginalized and enforce societal control over governance and nation building.
- After the success of Russia revolution, the intellectual class in many countries started thinking of ushering in a change in their respective nations such as **Fidel Castro** and **Mao Zedong** in Cuba and China respectively.
- In China, **Maoism** is a doctrine that teaches to capture State power through a combination of armed insurgency, mass mobilisation and strategic alliances. Mao called this process, the '**Protracted People's War**'. '**Political power grows out of the barrel of a gun**' is the key slogan of the Maoists.

People's war or **protracted people's war**, is a Maoist military strategy which was developed by the Chinese communist revolutionary leader Mao Zedong.

The basic concept behind People's War is to maintain the support of the population and draw the enemy deep into the countryside (stretching their supply lines) where the population will bleed them dry through a mix of mobile warfare and guerrilla warfare.

Marx	Lenin
<ul style="list-style-type: none"> History was the story of class struggle. 	<ul style="list-style-type: none"> History was the story of class struggle.
<ul style="list-style-type: none"> The struggle Marx saw was between capitalists and the proletariat, or the workers. 	<ul style="list-style-type: none"> The struggle Lenin saw was capitalists against the proletariat and the peasants.
<ul style="list-style-type: none"> The proletariat's numbers would become so great and their condition so poor that a spontaneous revolution would occur. 	<ul style="list-style-type: none"> The proletariat and the peasants were not capable of leading a revolution and needed the guidance of professional revolutionaries.
<ul style="list-style-type: none"> The revolution would end with a "dictatorship of the proletariat"—the communal ownership of wealth. 	<ul style="list-style-type: none"> After the revolution, the state needed to be run by a single party with disciplined, centrally directed administrators in order to ensure its goals. 

- **The philosophic difference** between Maoism and Marxism–Leninism is that the peasantry are the revolutionary vanguard in pre-industrial societies, rather than the proletariat.
- Marxism-Leninism-Maoism is actually based on the **Theory of Contradiction**, i.e. the law of the unity of opposites. As per the Theory, the contradictions in the modern society are as follows: -
 1. colonies and imperialism.
 2. the great masses of people and the feudal system.

In India, the Maoists claim, there are four major contradictions:

1. The contradiction between imperialism and the Indian people.
2. The contradiction between feudalism and the broad masses.
3. The contradiction between capital and labor.
4. The internal contradiction among the ruling classes.

They claim that the first two contradictions are the fundamental contradictions in the present-day Indian society. The contradiction between feudalism and the broad masses is the principal contradiction. Any stage of the revolution is based on the principal contradiction.

EVOLUTION OF THE CPI (MAOIST):

- The history of the communist party in India goes way back to the 1920s. A manifesto issued in 1920 in Tashkent (now in Uzbekistan) by Manabendra Nath Roy (who would become the party's first leader), and tried to form an Indian communist party.
- The **ideal of the CPI** was to introduce a communist revolution in India.
- **On December 26, 1925, the Communist Party of India or CPI was formed at a conference in Kanpur, Uttar Pradesh.**
- In 1922-24, communists faced a series of conspiracy cases such as Peshawar and Kanpur conspiracy case, these events led to the formation of CPI
- **Founders: in 1924 Satyabhakta announced the formation of CPI. In 1925 S.V. Ghate became the general secretary of the party.**
- There are few examples of revolution:
 - In 1946, they (the CPI) succeeded to some extent in mobilizing the people, on the principle of armed struggle, in Telangana, Andhra Pradesh. It continued for almost five years or so. This movement is known as **Telangana Uprising (1946-51)**.
 - Almost on the same ideological line and at the same time, another peasant armed uprising led by **the Kisan Sabha**, a peasant's front of the CPI, took place in Bengal. It is known in the history as **Tebhaga Uprising (1946)**.

DYNAMICS OF MAOIST INSURGENCY:**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 People's Liberation Guerilla Army (PLGA), the armed wing of CPI (Maoist), has been created with this purpose in mind.
- The primary aim of PLGA is to 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 Panchayati Raj system.
- After creating political vacuum, they coerce the local population to join the movement.

The absence of governance becomes a self- fulfilling prophecy:

- The first step in the LWE strategy is to seek to control the countryside. Therefore, many Front Organisations are created to facilitate mass-mobilisation in semi-urban and urban areas through democratic means.
- Most of the Front Organisations are led by well-educated intellectuals with a firm belief in the Maoist insurgency doctrine.

Role played by Front Organisations:

- The Front Organizations are created to facilitate mass-mobilization in semi-urban and urban areas through ostensibly democratic means.
- Most of the Front Organizations are led by well-educated intellectuals with a firm belief in the Maoist insurgency doctrine. They also form the propaganda/disinformation machinery of the party.

- The Front Organizations also skillfully use state structures and legal processes to further the Maoist agenda and weaken the enforcement regime.
- The important functions of these Organizations:
 - recruitment of ‘professional revolutionaries’,
 - raising funds for the insurgency,
 - creating urban shelters for underground cadres,
 - providing legal assistance to arrested cadres and
 - mass- mobilization by agitating over issues of relevance/ convenience.

PHASES OF LWE IN INDIA: The spread and growth of Naxalism in India can be broadly divided into **three phases or stages** as described below:

<p>First Phase</p>	<ul style="list-style-type: none"> ● 1967- Naxalbari uprising- a class conflict between peasants and landlords. ● Under the leadership of Charu Majumdar, they formed a new party Communist Party of India (Marxist-Leninist) in 1969 which was motivated and influenced deeply by Communist Party of China. ● The CPI(ML) was totally opposed to the electoral process and advocated violent revolution as the only means of realizing its political objectives. ● After Charu Majumdar’s death, the CPI (M-L) was deprived of any credible central leadership and the party withered away to be finally reborn as CPI (M-L) Liberation in 1974. ● The movement faced a severe blow during emergency when around 40,000 cadres were imprisoned in 1975.
<p>Second Phase</p>	<ul style="list-style-type: none"> ● The movement arose again in a more violent form after the emergency. It continued to widen its base as per the strategy of ‘protracted war’. Their base grew from West Bengal to Bihar to Odisha and Andhra Pradesh and Chhattisgarh. ● In 1980, the formation of the People’s War Group in Andhra Pradesh marked the revival of the movement after the emergency. However, the movement faced a setback due to security operations taken across different states. Internal conflicts within the group further weakened the movement. ● The origin of Maoist violence can be traced down to two factions: - <ol style="list-style-type: none"> 1. The People’s War Group (PWG): The PWG was formed in Andhra Pradesh in 1980 by Kondapalli Seetharamaiah, one of the most influential Naxalite leader. <ul style="list-style-type: none"> ○ Objective of PWG: The PWG traces its ideology to the Chinese leader Mao Tse Tung’s theory of organised peasant insurrection. It rejects parliamentary democracy and believes in capturing political power through protracted armed struggle based on guerrilla warfare. This strategy entails building up of bases in rural and remote areas and transforming them first into guerrilla zones and then as liberated zones, besides the area-wise seizure and encircling cities. The eventual objective is to install a “people’s government” through the

	<p>"people's war". In short, as the PWG claims, it wishes to usher in a New Democratic revolution (NDR).</p> <p>2. Maoist Communist Centre (MCC) : The outfit came into existence in 1969, as Dakshin Desh. After the formation of Communist Party of India (Marxist-Leninist), Dakshin Desh was renamed as the Maoist Communist Centre (MCC).</p> <ul style="list-style-type: none"> ○ The purported objective of the MCC is to establish a 'people's government' through 'people's war'. It traces its ideology to the Chinese Communist leader Mao Tse Tung's theory of organised peasant insurrection.
Third Phase:	<ul style="list-style-type: none"> ● In 2000, the third phase of the movement began with the establishment of the People's Guerrilla Army. ● In 2004, the People's War Group merged with Maoist Communist Centre and formed CPI (Maoist). ● CPI (Maoist) is the major Left-Wing Extremist outfit responsible for most incidents of violence and killing of civilians and security forces. It has been included in the Schedule of Terrorist organisations under the Unlawful Activities Prevention Act, 1967. ● During this phase, the Naxalite movement spread across 233 districts in 20 states. ● The movement's capacity to challenge the state has increased enormously considering the incidents of violence and casualties resulting from them. There are few examples of naxal violence: <ol style="list-style-type: none"> 1) In 2010 Dantewada ambush in which 76 CRPF armed personnel were killed. 2) In 2013 the LWE movement made international headlines when Naxalists killed 27 people, including some high-level politicians, in Sukma district of Chhattisgarh. 3) In February 2016, 106 districts in 10 States have been identified by the Government of India as Left-Wing Extremism (LWE) affected districts in the country. <p>Note: LWE organisations that are not Maoists are also expanding in terms of indoctrination and consolidation. They are also trying to spread their ideology in the Bhil and Gond tribes dominated area, the 'golden corridor'.</p> <p>Most of the worst affected districts fall in the Dandakaranya region which includes areas of Chhattisgarh, Odisha, Maharashtra and Andhra Pradesh. Maoists have been running a parallel government and a parallel judiciary in these regions.</p>
	<p>What is Golden Corridor?</p> <ul style="list-style-type: none"> ● The Golden Corridor area extends along western India and reportedly stretches along the belt extending from Pune to Ahmedabad, including Nashik, Surat and Vadodara. ● This is called 'golden corridor' because it the hot bed of illegal drug trade and cartels.

	<ul style="list-style-type: none"> The Golden Corridor area is also the industrial backbone of the country. It is towards this belt that the Maoists have currently turned their attention. It is a part of the Maoist grand plan to penetrate urban centres as well as the industrial/working class movement. In their scheme of things, the Maoists hope to gain control over the working-class movement and use it appropriately at a later stage when their so called New Democratic Revolution advances. <p>Other corridors: Golden corridor is one of the seven strategic areas identified by the CPI (Maoist). The other six include the corridors stretching between:</p> <ol style="list-style-type: none"> 1) Bihar-Jharkhand-Chhattisgarh-Andhra Pradesh; 2) Chhattisgarh-Orissa; 3) Bihar-Jharkhand-West Bengal; 4) West Bengal-Assam; 5) Manipur-Tripura; and 6) Jammu and Kashmir-Uttarakhand-Punjab-Haryana-Delhi
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Mao Tse Tung's Three Phase Theory of Revolutionary War:

1. Organization, consolidation and preservation of base areas, usually in difficult and isolated terrain.
2. Progressive expansion by terror and attacks on isolated enemy units to obtain arms, supplies and political support.
3. Decision, or destruction of the enemy in battle.

CURRENT STATUS:

According to a recently released report by the Home ministry, the number of districts affected by Naxal violence decreased from 106 to 90 between 2015 and 2018. The districts are spread across 11 states. 44 districts were taken out from the 'Red Corridor' and 8 new districts added.

In 2006 India's intelligence agency, the Research and Analysis Wing (RAW) estimated that 20,000-armed cadre Naxalites were operating in addition to 50,000 regular cadres and their growing influence prompted Indian Prime Minister Manmohan Singh to declare them to be the most serious internal threat to India's national security.

What is a Red Corridor region?

- Red corridor region is demarcated by the union government to notify the districts which are affected by left wing extremism.
- It is spanning across 90 district in 10 States, namely Bihar, Jharkhand, Andhra Pradesh, Maharashtra, Odisha, Telangana, West Bengal, Madhya Pradesh, Uttar Pradesh and Chhattisgarh.

The three main categories are:

1. heavily affected - Chhattisgarh, Jharkhand, Odisha and Bihar
2. Partially affected - West Bengal, Maharashtra and Andhra Pradesh
3. least affected - Uttar Pradesh and Madhya Pradesh.

Total of 44 districts have been removed from the list and eight new districts which could be slightly or partially affected has been added to the list. The recent decision is taken since only 30 worst affected districts account for 90% of the LWE violence.

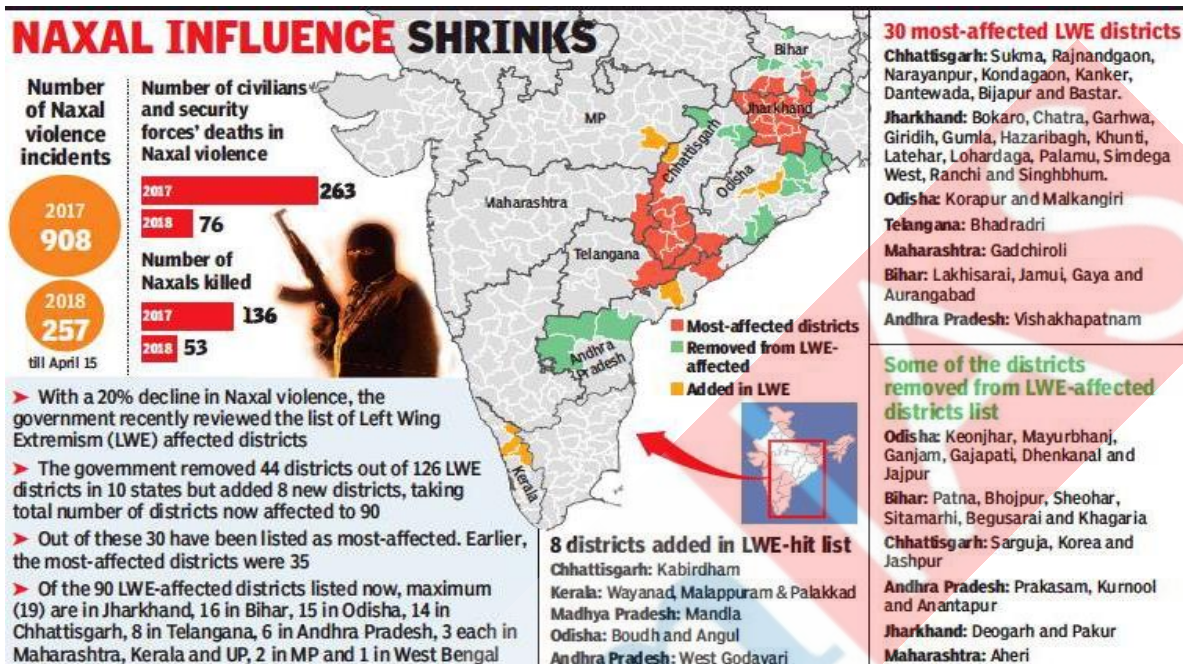


Figure: decline in LWE cases

Reasons for decline in violence:

- ❖ greater presence of security forces across the LWE affected States.
- ❖ loss of cadres/leaders on account of arrests, surrender and desertions.
- ❖ Rehabilitation program of government
- ❖ better monitoring of development schemes in affected areas
- ❖ insurgency fatigue among the Maoist cadres.
- ❖ shortage of funds, arms and ammunitions.

CAUSES OF NAXALITE PROBLEM:

<p>Land Related causes (Jal-Jangal-Jameen)</p>	<ul style="list-style-type: none"> ● Evasion of land ceiling laws. ● Existence of special land tenures (enjoying exemptions under ceiling laws). ● Encroachment and occupation of Government and Community lands (even the water-bodies) by powerful sections of society. ● Lack of title to public land cultivated by the landless poor. ● Poor implementation of laws prohibiting transfer of tribal land to non-tribal in the Fifth Schedule areas. ● Non-regularization of traditional land rights
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	<ul style="list-style-type: none"> • Post-independence, the land reform policy of India could not be successful in some parts of the nation, leading to the birth and growth of naxal movement in India.
Governance Related causes	<p>Non-implementation of schemes:</p> <ul style="list-style-type: none"> • Corruption and poor provision/non-provision of essential public services including primary health care and education. • Mismanagement of forest, forest policies with restriction for their livelihoods. • Suppression of demands, protests <p>Bureaucratic apathy:</p> <ul style="list-style-type: none"> • Misuse of powers by the police and violations of the norms of law. • Perversion of electoral politics and unsatisfactory working of local government institutions. • Incompetent, ill-trained and poorly motivated public personnel who are mostly absent from their place of posting. • In 2006, Forest Rights Act was enacted. But Forest Bureaucracy continued its hostility towards it. <p>Government failed to reach out to people at times of crisis, maintain law and order. These made people indifferent to the democratic principles in poor tribal areas in India</p>
Development Projects related causes	<p>Atrocities and forceful evictions:</p> <ul style="list-style-type: none"> • Eviction from lands traditionally used by tribal. • Displacements caused by mining, irrigation and power projects without adequate arrangements for rehabilitation. • Large scale land acquisition for 'public purposes' without appropriate compensation or rehabilitation. <p>Displacement without effective rehabilitation:</p> <ul style="list-style-type: none"> • The tribal are driven by grievances with the Indian Government over decades long resource mismanagement and systematic marginalization beginning with a series of development projects in the 1980s that removed tribal from their lands in the name of public good. • The conflict between economic progress and aboriginal land rights continues to fuel the Naxalite's activities. • Exploitation of the natural resources for the economic progress of the country, ironically, has led to displacement and deprivation of the tribal, further leading to a feeling of alienation.
Tribal alienation	<ul style="list-style-type: none"> • Violations of human rights and abuse of dignity of life. • The sociologist Walter Fernandes estimates that about 40% of all those displaced by government projects are of tribal origin. • Tribal poverty today is worse than that of Scheduled castes and on par with those of sub-Saharan African countries. The districts that comprise the red corridor are among the poorest in the country.

	<ul style="list-style-type: none"> • A key characteristic of this region is non-diversified economic activity solely dependent on primary sector. The region has significant natural resources, including mineral, forestry and potential hydroelectric generation capacity E.g. Chhattisgarh, Andhra Pradesh, Odisha, and Jharkhand account for approximately 85% of India's coal resources.
Livelihood Related Causes	<ul style="list-style-type: none"> • Lack of food security as well as corruption in the Public Distribution System. • Disruption of traditional occupations and lack of alternative work opportunities. • Deprivation of traditional rights in common property resources.
Few other causes	<ol style="list-style-type: none"> 1. Tri-junction theory: This theory states, the areas located at the tri-junction of the orders of three state have the problem lack of governance. such areas have poor transportation communication and other infrastructure. For. E.g. – Dandakaranya forest. 2. Social Conditions: The area encompassed by the red corridor tends to have stratified societies, with caste and feudal divisions and violence associated with friction between different social groups. 3. Geographical factors: The terrain in these areas is suitable for guerrilla tactics. It is also because of the terrain that the reach and spread of governmental programmes has been slower in these areas. In these remote upland areas, public officials are unwilling to work hard, and often unwilling to work at all and these postings are often termed as 'punishment postings. On the other hand, the Maoists are prepared to walk miles to hold a village meeting, and listen sympathetically to tribal grievances. 4. Inability of the tribal leaders to get their grievances addressed by the formal political system.

Development, Displacement and Extremism:

- In 1940's the tribals living in the Chitrakonda in Malkangiri district in Odisha were first displaced from Koraput by Machkund Hydel Project.
- The displaced tribals moved to Chitrakonda. But again in 1960's, the already displaced tribal population were again displaced by the Balimela Hydel Project. Since then their villages have remained water-locked by the Chitrakonda Reservoir and are accessible only by boat.
- No rehabilitation and socio-economic development has taken place here for decades. It is only in 2018 that Gurupriya Bridge connecting water-locked island to the mainland has been inaugurated.

CHALLENGES:

1. **Spreading in adjoining areas:** Armed forces pushes Naxals out temporarily but they use other states to regroup and rearm. This can be associated with the Andhra Pradesh model, where the intensive use of Greyhounds had led to a lot of spillover to other states.

Guerrilla warfare is waged by civilians who are not members of a traditional military unit, such as a nation's standing army or police force. In many cases, guerrilla combatants are fighting to overthrow or weaken a ruling government or regime.

Guerrilla warfare was first described by Sun Tzu in The Art of War. Guerrilla tactics are characterized by repeated surprise attacks and efforts to limit movement of enemy troops. Often fighting in their own homeland, guerrilla combatants (also referred to as rebels or insurgents) use their familiarity with the local landscape and terrain to their advantage.

Examples: Boer War (1899-1902), mujahideen in Soviet Afghan war (1979-1989), Naxals, north east insurgents.

2. **Collaboration with Anti-state forces:** New territory in new states may result in a corridor for Naxals to collaborate with other insurgent groups who are essentially ideologically different but are anti-state. There has been increasing collaboration between the naxals and the pro-Azadi leaders in J&K and ULFA which are training the naxal cadre.
3. **Naxal activities due to international collaboration:** The likely collaboration with international maoist movements, may give it a much more dangerous dimension, to tackle which India seems to be unprepared. There is also an increasing threat of rising terror outfits' support to the naxal operations in India.
4. **Administrative hurdles** in dealing with LWE:
 - Poor infrastructure, lack of communication and shortage of manpower
 - A virtual parallel government run by Maoists in Dandakaranya region
 - Poor coordination among various state police forces
 - Lack of proper understanding between the central and state forces.

Few other Issues in handling LWE

1. **Negligence of established standard operating procedures**
2. **Vulnerabilities** such as poor planning, inadequate numbers, insufficient intelligence backup etc.
3. **Structural deficits and deficiencies** such as putting IPS into almost every senior position.
4. **Sluggish Capacity building of police forces**, for example – in Chhattisgarh, there are about 10,000 vacancies in different ranks in state police and 23 sanctioned police stations have yet to be set up.
5. **Inefficient technology of mine detection:** unable to detect deep planted mines under the road.
6. **Delay in acquisition of technology:** For example- Out of the 157 sanctioned MPVs, only 13 have been supplied by OFB to CAPFs so far.
7. **Laundering of funds:** Naxal leaders operating in Bihar and Jharkhand are laundering extorted money through acquiring movable and immovable assets.
8. **Intellectual support:** Intellectuals such as Arundhati Roy and Binayak Sen regularly supports naxalism, advocating an egalitarian society, human rights and tribal rights.

STEPS TAKEN BY THE GOVERNMENT:

<p>Security and Institutional measures</p>	<ol style="list-style-type: none"> 1. Operation Steeplechase- Launched in 1971, it was a joint Army-CRPF-Police operation which lead to the crackdown of many Naxalites 2. Operation Green-Hunt: in 2009, Government deployed Commando Battalion for Resolute Action (COBRA) against Naxals. This operation popularly came to be known as Operation Green Hunt. 3. Andhra Pradesh has its specialised Greyhound commando force to tackle LWE. 4. Unified Command: In 2010, the Government established a Unified Command for inter-state coordination (in intelligence gathering, information sharing and police responses) between Chhattisgarh, Jharkhand, Odisha and West Bengal. 5. Black Panther combat force - A specialised anti-Naxal combat force for Chhattisgarh on the lines of Greyhounds unit in Telangana and Andhra Pradesh. 6. Bastariya Battalion – A newly formed battalion of CRPF with more than 534 tribal youth from four highly naxal infested districts of Chhattisgarh. In this battalion the adequate female representation in sync with the Government’s policy of 33% reservation for women making it the first composite battalion in any of paramilitary forces. 7. A process has also been initiated to create a separate vertical in the NIA (National Investigation Agency) for investigating important cases relating to Left Wing Extremism (LWE) 8. Multi-disciplinary groups to check funding of Naxalites - Union ministry of home affairs has formed multi-disciplinary groups with officers from central agencies, including from the IB, NIA, CBI, ED and DRI, and state police to choke the financial flow to Maoists. 9. The National Technical Research Organization (NTRO) is assisting the Security Forces in anti-Naxal operations by providing Unmanned Aerial Vehicles (UAVs). 10. Security Related Expenditure (SRE) Scheme: <ul style="list-style-type: none"> • This Scheme has been extended by the Government on 27.09.2017 as a subscheme of the Umbrella Scheme Modernization of Police Forces for a period of 03 years till 2020. • The central Govt. reimburses to the State Governments of 11 LWE affected States Security Related Expenditure of 90 districts relating to training and operational needs of security forces. • Ex-gratia payment to the family of civilians/security forces killed 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.
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Skill Development related Schemes	<ol style="list-style-type: none"> 1. ROSHNI is a special initiative under, Pandit Deen Dayal Upadhyaya Grameen Kaushalya Yojana which envisages training and placement of rural poor youth from 27 LWE affected districts. 2. Skill Development in 34 Districts affected by Left Wing Extremism under implementation from 2011-12 aims to establish ITIs and Skill Development Centres in LWE affected districts.
Rehabilitation	<ol style="list-style-type: none"> 1. Surrender and rehabilitation policies: State Governments have their own policy, while the Central Government supplements the efforts of the State Governments through the Security Related Expenditure (SRE) Scheme for LWE affected States. Additional incentives are given for surrendering with weapons/ammunition. It is also imparting vocational training with a monthly stipend for a maximum period of 36 months
Infrastructure	<ol style="list-style-type: none"> 1. Special Infrastructure Scheme, along with Construction of Fortified Police Stations in the LWE affected States: On regular demand of the LWE affected States, the Government has approved this Scheme as a sub-scheme of the Umbrellas Scheme, 'Modernization of Police Forces' for a period of 3 years i.e. from 2017-18 to 2019-20. 2. Road Requirement Plan-I (RRP-I) for LWE affected areas: This Scheme is being implemented by the 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. 3. Road Connectivity Project for LWE affected areas (RRP-II): The Government approved this scheme on 28.12.2016 for further improving road connectivity in 44 districts of 9 LWE affected States. 4. 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 2335 mobile towers have been installed.
Developmental	<ol style="list-style-type: none"> 1. Forest Rights Act, 2006: The Scheduled Tribe and Other Traditional Forest dwellers (Recognition of Forest Rights) Act 2006 or the Forest Rights Act recognizes the rights of the scheduled tribes and forest dwellers Additional Central Assistance (ACA) for the LWE affected districts (earlier known as Integrated Action Plan): The aim of this initiative is to provide public infrastructure and services in the LWE affected areas 2. Civic Action Programme: The scheme aims to build bridges between the local population and the security forces. The Left-Wing Extremism affected States have been asked to effectively implement the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) on priority, which categorically assigns rights over minor forest produce to the Gram Sabhas. 3. Approval of Projects under Universal Service Obligation Fund (USOF) supported scheme to provide mobile services in 96 districts of LWE-affected states.

	<p>4. 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.</p> <p>5. Special Central Assistance (SCA) for 30 most LWE affected districts: under Umbrella Scheme, 'Modernization of Police Forces' for a period of 3 years i.e. from 2017-18 to 2019-20. The main objective of the Scheme is to fill the critical gaps in Public infrastructure and Services, which are of emergent nature.</p> <p>6. Assistance to Central Agencies for LWE management Scheme: Under the Umbrella Scheme Modernization of Police Forces for a period of 03 years i.e. from 2017-18 to 2019-20. Under the Scheme, assistance is provided to Central Agencies (CAPFs/IAF etc) for strengthening of infrastructure and hiring charges for Helicopters.</p> <p>7. Civic Action Programme (CAP): CAP in LWE affected areas is being implemented since 2010-11 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.</p> <p>8. Media Plan: 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.</p> <p>9. Aspirational District: The Ministry of Home Affairs has been tasked with the monitoring of Aspirational districts programme in 35 LWE affected districts.</p> <p>10. Recently the home minister announced a new strategy of SAMADHAN which stands for</p> <ol style="list-style-type: none"> i. S: smart leadership ii. A: aggressive strategy iii. M: motivation and training iv. A: actionable intelligence v. D: dashboard-based KPIs (key performance indicators) and KRAs (key result areas) vi. H-harnessing technology vii. A-action plan for each theatre viii. N- no access to financing.
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Role of LWE Division	<p>This Division was created w.e.f. October 19, 2006 in the Ministry of Home Affairs, to effectively address the Left-Wing Extremist insurgency in a holistic manner.</p> <ul style="list-style-type: none"> • To implement security related schemes aimed at capacity building in the LWE affected States. • To monitor 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, Uttar Pradesh and Kerala are considered LWE affected, although in varying degrees.
Success stories in the fight against Naxalism	<ol style="list-style-type: none"> 1. Sandesh (Bihar) Sandesh block in Bihar has seen a gradual elimination of Naxalites. The most important factor which proved instrumental in dismantling naxal dominance was the panchayat elections initiated in Bihar. It created a significant distance between the Naxal leaders and the local community. Social pressure forced many naxalites to switch over to farming and shed off their association with naxal outfits. 2. Aasdwar project in Jehanabad (Bihar) Under this project, 5 Naxalite affected panchayats (Jehanabad district of Bihar) are witnessing a flurry of development activities on a war footing e.g. construction of cement lanes, link roads, drains, buildings for schools and anganwadis, individual toilets etc. The people, at large, seem to have embraced the programme in a big way. So, as this case study amplifies, Naxalism can be defeated and eliminated by the process of development and a new social order but the change has to come from within. 3. AP greyhounds' model Andhra Pradesh's Greyhound naxal fighting force along with infrastructure development and effective surrender and rehabilitation policy has also proved effective. Other elements in the Andhra Pradesh model include: <ul style="list-style-type: none"> • Culture of police leadership • Sound knowledge of local terrain • Incentives to police for good work • Operations based on local intelligence • Grass roots involvement in anti-Naxal operations
International best Practice (Columbia)	<ul style="list-style-type: none"> • The Colombia peace process (2012) was signed between the Colombian government and the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP). • It is based on comprehensive rural reform to ensure holistic development of the rural population, increasing and improving citizen participation in the government through strengthening democratic and electoral opportunities,

	<p>and involving the victims of establishment or rebel atrocities in the actual negotiation process.</p> <ul style="list-style-type: none"> • The peace process put an end to the conflict between Colombian government and FARC rebels
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BRIEF ABOUT URBAN NAXALS:

- The Maharashtra police arrested five prominent activists in connection with an ongoing investigation related to the Bhima-Koregaon caste flare up in January 2018.
- In addition, the police then had presented a sensational letter implicating all five accused in hatching a plot to assassinate the Prime Minister of India.
- The police conducted raids and arrested these well-known activists naming them as “urban Naxals” raises vital questions about the new labelling by the state and the soundness of current counter-insurgency strategy to target Naxals and their ideology.

Who are the “urban Naxals” and how serious is their threat that is forcing the Indian state to take such desperate measures?

In India, while LWE has remained largely a rural phenomenon, yet since its appearance in the 1960s, the movement has been drawing great following and leadership from the urban areas, especially from highly educated dreamers and romantics.

- **Definition:** “Urban Naxals are the ‘invisible enemies’ of India, some of them have either been caught or are under the police radar for working for the movement and spreading insurgency against the Indian state. One common thread amongst all of them is that they are urban intellectuals, influencers or activists of importance.”
- **Strategies of urban Naxals:** The new strategy focuses on a six-stage approach called SAARRC – survey, awareness, agitation, recruitment, resistance and control. In an essay on the issue P V Ramana quotes a state intelligence official, “They have completed the first stage of survey, that is, identifying the target groups, potential areas of discontent and flash-points in urban areas. Now they are in the process of implementing the second and third stages of their strategy.”
- **Urban intellectuals:** Charu Mazumdar and Kanu Sanyal, two original architects of Naxalbari revolt in 1967, were from affluent and non-rural background. Majority of the present leaders such as Ganapathy, Muppalla Laxman Rao, Kobad Ghandy, Anuradha Ghandy, Saketh Rajan, Sridhar Srinivasan, Ravi Sarma and B. Anuradha are also from cities and have left behind their comfortable lives to struggle for the poor and the exploited out of ideological commitment.
- **New Urban tactics:** Maoists have been avoiding urban surge for a long time. However, in the recent decade, particularly after the merger of 40 odd splinter insurgent groups in 2004 leading to the creation of a new group called the Communist Party of India (Maoist), the new formation brought out two major documents detailing their urban ambition - ‘The Strategies and Tactics of Indian Revolution in 2004’ and ‘Urban Perspective: Our Works in Urban Areas in 2007’ spelled out strategies and tactics to spread into urban areas and create an elaborate network of underground and overground support for the armed movement.
- **Formation of urban cells:** Maoists have been able to form urban cells in the industrial belts of Raipur, Durg, Surat, Faridabad and Bastar. Also, there have been reports indicating their strong gains in semi-

urban centres such as Haryana's Yamuna Nagar which has several sugar mills, timber and wine mills with history of labour unrest.

- **Successful Protests or demonstrations:** A clear demonstration of their strength was seen in places like Nandigram and Singur in West Bengal where they reportedly played a critical role in instigating and spreading unrest.
- **Attacks in semi urban areas:** the attack in Nayagarh and Daspalla towns in Orissa on 15 February 2008 and the attack against the Orissa State Armed Police camp at R. Udayagiri town in Gajapati district of Orissa on 24 March 2006 are a few such examples. Similarly, attacks in Aurangabad/Jehanabad jail in Bihar is a clear reminder of Maoist threats in urban areas. However, their urban surge has proved a disaster for them as they lost many of their top leaders. Their ideologues like Narayan Sanyal, Amitabh Bagchi, Kobad Ghandy were arrested by security forces from their urban hiding spots.

WAY FORWARD: The government must adopt a multipronged composite strategy. We can broadly divide the strategy as follows:

1. Development strategy:

- Better infrastructure in core naxal areas.
- Special focus on political security and accelerated socio-economic development in a holistic manner.
- Political parties must strengthen their cadre base in naxal areas.
- Decentralisation and participatory democracy
- Better implementation of government schemes

2. Security strategy:

- Promote local resistance groups on lines on 'village defence committees' in J&K.
- Formation of specially trained special task forces on the pattern of Greyhounds in affected states.
- Professional dominance by security forces with primacy of state police at all levels
- Modernisation and upgradation of state police infrastructure, weapons and technical equipment
- Strengthening local intelligence units
- Tightening control on availability of explosives
- Posting of competent and motivated police officers in LWE affected areas

3. Psychological Operations:

- Administration should engage with public at large, civil society, NGOs to restore people's faith and confidence in the government machinery
- Media and public perception management

4. Other measures:

- The doors for peace talks should always be open
- There should be genuine attempts to win the hearts and minds of people
- Time-bound conviction of arrested cadre must be ensured through vital reforms in criminal justice system

- Effective surrender and rehabilitation policy ensuring proper safety and care of their families
 - Better adherence to law legislated for protection and development of tribals
5. **Understanding the tribal psychology and addressing their concerns:**
- The tribals having been left out of the development process are also oblivious to the potential enhancement in the quality of life if the growth process were to touch them.
 - If they knew the potential benefits of growth, they would realize the futility of violence and see reason to participate in the growth process and become part of the mainstream without losing their identity and culture.
 - The tribal opposition to part away with their land is not only due to livelihood concerns, but also their shield against a system they are unfamiliar with. The fear of not being fit enough to participate in a system alien to them also adds as a disincentive to give up their land.
6. **Need for policy changes:** Nanadan Nilekani in his book '**Imagining India**' argues that empowering local tribal communities to take decisions on forest resources and environment through PESA and Forest Rights Act can enable them to leverage their lands for economic gains. Nilekani argues that the challenges posed by climate change have actually opened up the possibility of integrating the unorganized economic activity of the tribals. He adds that once resource rights are established, rural and tribal communities can earn incomes by participating in carbon cap and trading schemes with businesses and industries. Connecting these tribal groups (in the same way NCDEX has connected India's farmers to commodity markets) would bring these communities into our markets in a big way.

CONCLUSION:

It is the belief of the Government of India that through a holistic approach focussing 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 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 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. Further, an ideology based on violence and annihilation is doomed to fail in a democracy which offers legitimate forums of grievance redressal.

WAY FORWARD:

Learning from Chhattisgarh police: As the Chhattisgarh police have experience in tackling Maoists in Bastar, they are now coordinating with the bordering States to strengthen intelligence and ground presence. Such measures can be taken in new areas as well where Maoists are trying to establish themselves.

Eliminating the root cause of the problem that is leading to the alienation of tribals in this area. The focus should now be on building roads, increasing administrative and political access of the tribals, improving reach of government schemes etc.

Centre-state cooperation: Centre and states should continue with their coordinated efforts where Centre should play a supportive role with state police forces taking the lead.

Undertaking technological solutions: such as use of micro or mini-UAVs or small drones to minimize loss of lives of security personnel.

Build trust: Winning a psychological war against the Maoists remains an unfinished task. To bridge this trust deficit, civil society must join hands with the government in realising the villagers' right to development.

Awareness generation: Government should undertake awareness and outreach programmes and inclusive developmental programmes.

Forest Rights: Effective implementation of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Rights) Act, 2006

Financial empowerment: Introduce measures to encourage formation of 'Self Help Groups' (SHGs) to improve access to credit and marketing and empower the disadvantaged.

Choke funding: The nexus between illegal mining/forest contractors and transporters and extremists which provides the financial support for the extremist movement needs to be broken through establishment of special anti-extortion and anti-money laundering cell by State Police.

Infrastructure development: For implementing large infrastructure projects, particularly road networks that are strongly opposed by the extremists need to be undertaken with the help of specialised Government agencies like the **Border Roads Organisation** instead of local contractors.

Special efforts are needed to monitor the implementation of constitutional and statutory safeguards, development schemes and land reforms initiatives for containing discontent among sections vulnerable to the propoganda of violent left extremism

How is the LWE situation evolved in the country? This has been analysed from the three important perspectives: -

<p>The State</p>	<p>The state uses multifarious approach to the LWE challenge. These consist of use of force, initiation and implementation of development schemes, perception management, and political activity in the regions liberated from the extremist control.</p> <ul style="list-style-type: none"> ❖ Eliminating top leadership: The approach is based on the premise that neutralizing the top leadership of the CPI-Maoist would not only weaken the movement but may lead to its complete disintegration. For e.g. in West Bengal the killing of the senior leader Kishenji led to a total collapse of the movement. ❖ An increase in the deployment of central armed police forces (CAPFs), and effecting a paradigm shift that designates LWE as terrorism. ❖ Involve the local: Starting with the Salwa Judum experiment where the
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	<p>Chhattisgarh police supported a vigilante movement until it was dissolved by an order of the Supreme Court, various states have attempted to supplement police operations against the extremists by seeking the support of the local people. In Chhattisgarh, the Salwa Judum has been regularized in the name of District Reserve Guards (DRG), who in the recent past have been credited with leading a large number of successful operations against the Maoists.</p> <ul style="list-style-type: none"> ❖ The allegations of human rights violations have increasingly come under intense scrutiny at the national level requiring judicial intervention. As a result, accused police officials had to be transferred and stripped off their role in such operations. ❖ In spite of the drawbacks in training, command and control loopholes and problems of intelligence gathering, significant achievements have been secured by the security forces vis-a-vis the Maoists. Vast stretches of areas have been cleared and several infrastructural projects continue to be implemented due to the dedicated presence of the security forces. Development initiatives of the state in areas freed from LWE control remain key to the future success of the state. Measures such as filling up the posts of doctors and nurses in hospitals in the affected areas, filling up the vacant position in schools, providing road networks would just not be delayed by the threat of extremists, but also by the lethargy and corrupt practices of the state bureaucracy.
The Maoist	<p>Those who favored developmental processes would argue that the CPI-Maoist has outlived its utility. None of its actions have benefited the cause of the tribal it professes to be fighting for. At the very best, it has remained a mere hindrance to the development initiatives of the state.</p> <ul style="list-style-type: none"> ❖ The CPI(M) would attempt to mix defensive as well as offensive maneuvers to preserve its cadres and inflict casualties on the adversary. Occasional bigger attacks would continue with the objective of reversing its declining fortunes. Killing of alleged police informers is likely to increase as a result. ❖ Ideological tussle between leaders suggesting a slow process of revolution with popular participation and those professing an instant revolution using armed cadres. The contestation between its political wing and its military wing over the pace of its war and trajectory of its violence ❖ Deadly innovation: In the past years the CPI-Maoist has fallen largely back on innovative techniques such as planting explosives inside the bodies of killed security forces, planting explosives on trees etc. to inflict casualties on the forces. Huge amount of explosives in single attacks have been used to overcome the resistance offered by mine proof vehicles. In recent attacks such as the one that took place in Chhattisgarh's Sukma district, explosives mounted on arrows were used. The CPI-Maoist has used the L and S-shaped hilly areas to carry out attacks in the past. The same technique is now being used to its advantage in flat terrains as well. ❖ Affecting the tribals: The tribal population would remain a critical pillar for the

	<p>CPI- Maoist's attempts of maintaining its relevance. The outfit uses a careful communication, assisted largely by voluntary efforts, promote itself as the liberator of the marginalised class. Using the contemporary political developments in the country (right wing politics), constantly calls for unity of purpose among the tribals, working class, trade unions and even sympathetic urban intelligentsia.</p> <ul style="list-style-type: none"> ❖ Expanding the area: to overcome the challenges of shrinking dominance, would be a strategic objective for the CPI-Maoist. Narratives in the past have pointed at Maoist activities in Kerala, Tamil Nadu, and Karnataka.
<p>The people</p>	<p>Even with a shrinking LWE presence, lives of tribals as well as non-tribal population in the extremist affected areas continue to be affected. Aspirations of such people can be summed up in three ways: to live without fear, for better governance, and recognition of their rights. However, such aspirations may continue to be affected in the following ways in 2017.</p> <ul style="list-style-type: none"> ❖ Amid the contestation between the state and the extremists to win over their trust, the tribal population remains subject to immense pressure. The CPI-Maoist will implement actions against the 'police informers' - threatening, killing and maiming civilians. Similarly, any association with the extremists, even if involuntary, will attract punishment from the state. ❖ Tribal as well as non-tribal can expect to benefit from a number of infrastructural and developmental schemes implemented by the state under protection provided by the security agencies. For e.g. completion of the bridge over Guru-Priya river in Odisha's Malkangiri district, will connect villagers of more than 150 hamlets with the district headquarter. Road building projects may allow remote areas to access health and education facilities available in nearby towns. ❖ Any hope for immediate redressal of grievances and fulfilment of the rights of the tribal may, however, be delayed by lethargic bureaucracy and systemic failures to fast track development in affected areas. While official narratives blame extremists for the delay of road building projects, attempts at filling up the posts of doctors, nurses, teachers in such areas will continue to be affected amid some half-hearted measures to incentivize such postings. For e.g land acquisition policies in particular that result in displacement and lack of adequate compensation to affected people will continue to make tribal suspicious of the official moves. ❖ Government's attempts to win over the trust of the tribal on the one hand and its systematic attempts to prosecute NGOs, activists, and lawyers working for the affected tribal affected by excesses committed by the security forces will make the critical task of winning the hearts and minds of the tribal difficult.

6. LINKAGES BETWEEN DEVELOPMENT AND EXTREMISM

<p>CONTENTS:</p> <ol style="list-style-type: none"> 1) What is Development-dimensions 2) What is Extremism? 3) Reasons for the spread of Extremism 4) Impacts of extremism 5) Impact of socio-economic development on Extremism <ol style="list-style-type: none"> a) Positive b) Negative 6) Government Efforts - Constitutional, legal, administrative 7) Way forward 	<p>SYLLABUS:</p> <p>GS III: Internal Security - Linkages between Development and Extremism</p>
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Development:

Development is a process which generates progress or positive change in the physical, economic, environmental, social and demographic components of a system or society. The purpose of development is an improvement in the level and quality of life of the population, per capita income and employment opportunities, without damaging the resources of the environment.

Dimensions of Development:

Economic:

- Economic development is the process by which the economic well-being and quality of life of a nation, region or local community are improved.
- Economic dimension of development is measured through indicators such as Gross Domestic Product, Employment rate, Per capita income etc.
- An economically developed society has enough resources for effective redistribution. Wealthy state can take care of the basic needs of its citizens such as health and nutrition, education etc. with ease. In such circumstances, the probability for discontent and militancy is reduced.

Social:

- Social development refers to positive qualitative changes in the structure and framework of society to ensure the well-being of every member.
- A society would be considered as developed by gauging the status of the marginalised section of the society. Prevalence of socio-economic inequality among different class creates class antagonism.
- Lack of gender equality or opportunity for women empowerment is an indicator of lack of social equity.
- Lack of respect for diversity threatens Unity and territorial integrity of the nation.

Political:

- Political development can be defined as an improvement in national political unity and an increase in political participation.

- In modern times, political development of a society is gauged by the levels of democratization in the society. A truly democratic society respects the dignity of every member of the society.
- Politically developed society guarantees civil and political rights such as the right to life and liberty, the right to freedom of speech and expression, the right to form association, the right against arbitrary detention among others to its citizens

Human:

- In his theory of 'Development as freedom', Amartya Sen has viewed 'development' as improving the 'capability' of an individual so that he/she can pursue the self-appointed goals.
- He urged the governments to focus on improving the capability of a person by investing in Health, Education and Skill development sectors.
- A person requires basic education, health and nutrition and skills to live a life of dignity.

Sustainability:

- According to 'Brundtland Report', "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs".
- The dimension of sustainability includes biodiversity conservation, environmental protection and ecological safety.
- Without sustainability economic development would be ineffective.

Governance:

- In a developed society, Good governance is characterised by
 - Time bound delivery of public services
 - Transparent and accountable process
 - Citizen's participation in governance
 - Effective grievance redressal mechanism etc.

What is Extremism?

- Extremism refers to an ideology which is deviated from the common moral standard or an act which is extreme if compared to the usually accepted behaviour in society.
- For example, Left Wing Extremism is based on radical leftist ideology. Drawing from Marx's idea, Naxalites aims to overthrow the government through a violent people's revolution and establish a 'class-less, state-less' communist society.

Reasons for the spread of Extremism:

- **Alienation from Land, forest and such traditional homeland**
 - The Forest Act, 1927, Forest (Conservation) Act, 1980 have disturbed the age-old relationship between the tribals and the nature.
 - Developmental activities such as mining, power projects and industrialization have encroached upon the lands and livelihood of the local people. They are not being given adequate share in profit and they suffered the worst due to displacement and lack of livelihood opportunity.

- **Economic:**
 - Unemployment and poverty creates the feeling of hopelessness and desperation. Poor economic condition limits a person's scope of employment opportunity. Lack of job creates a cycle of poverty which further pushes the youth to extremism. Many poor countries such as Somalia, Afghanistan, Yemen are today suffering with the problems of insurgency.
 - Lack of basic education, health and nutrition opportunity, skill sets further limits a person's scope of employment.
 - Inequality of wealth among different classes of citizens creates a feeling of deprivation for the marginalized section of the population. This fuels the anger against the establishment such as the State and other social institutions.

- **Social:**
 - Social fragmentation in the form of caste system, practise of untouchability, communal tension, perception of marginalization are push factors for extremism.
 - In Tripura, the tribal insurgent group National Liberation Front of Tripura (NLFT) demands exodus of 'immigrant' Bengali population from the state.

- **Political:**
 - Insurgent groups exploit the situations where there is lack of democratic values such as freedom of expression and lack of civil and political liberty such as the right against arbitrary detention, the right to life and liberty.
 - Allegedly, the human right violation by the armed forces under the protection of AFSPA has led many affected people to join militancy in Kashmir, Nagaland, Manipur and other such insurgency-affected areas.
 - The insurgent groups in North-East, Kashmir and other places recruit youth by calling them to resist the deprivation of their right to 'self-determination'. They questions the political construct of Indian nation-state.

- **Governance:**
 - Insurgent groups tend to establish hide-outs in remote places with poor law and order administration, poor infrastructure in the form of road connectivity.
 - Lack of transparency, accountability and people's participation in governance creates an atmosphere of mistrust among the local people and the establishment.
 - Allegation of mismanagement and corruption in governance encourages dis-regard for laws, regulations and government institutions.
 - Poor governance damages citizen's trust in the government. People tend to adopt even violent means to secure their interests.

- **Administrative:**
 - The cases of violation of human rights by the member of armed forces further encourages hostility between the administration and the people. For example, there is allegation against the armed forces regarding instances of rape of women by CRPF in Bastar or by Army in Kashmir.

- Costly and time-taking judicial process, Biased police, prejudiced media and bureaucratic red-tapism creates the gulf between the poor, marginalized and the government.
- Poor administration limits the government's ability to provide effective response against communal violence.
- **Historical:**
 - Practices such as caste system has created a deeply unequal society with a deep sense of historical injustice. Sense of age-old deprivation drives people from marginalised communities to the path of extremism.
- **Ethnic:**
 - In North-East India, different ethnic tribal groups live. They claim themselves as the 'true' indigenous inhabitant of the land. They question the 'idea of India', they recruit youth in the name of ethno-national struggle for nationhood.
- **Geography:**
 - Tri-Junction theory: Areas situated around the tri-junction of borders of three states have the problem of governance-deficit. These areas lack transport, communication and other infrastructure.
 - Such circumstances provide easy hideouts for the extremists
 - Dandakaranya area is an example of tri-junction theory.
- **Geo-Political:**
 - Allegedly, foreign state such as Pakistan and China provides material and arm support to the insurgent group trying to destabilize India.

Impacts of Extremism:

Political:

- Extremism often leads to marginalisation of the minority community by the majority community. The minority group live in fear and they are deprived of their basic political rights and civil liberties. For example, The Muslim community is suspected for acts of violence conducted by few members who subscribe to fundamentalism.
- Polarization of society due to extremism is utilized by political party to achieve power.

Social:

- Extremism disturbs social harmony and infuses mistrust among members of communities. Thus, making the society further prone to such violence.
- Extremism infuses a sense of insecurity and fear among the members of the society

Economic:

- During violence, economic activities are disturbed, wealth of common people are looted, the public properties are destroyed. This creates a huge strain on the public purse.

Human Lives:

- According to a report of the Ministry of Home Affairs, over 3,700 people were killed in Naxal violence in 10 states, in the last nine years (2010-2019).
- According to a report published by the Government of India, till 2009 the two-decade old Kashmir insurgency which started in late 1980s, have claimed around 47000 lives. However, Kashmir's main separatist group, the All Parties Hurriyat (Freedom) Conference, says more than 100,000 people have died since the insurgency broke out in 1989.

National Security:

- Few countries try to exploit the social instability to attack on the sovereignty and territorial integrity of the nation.
- Unstable society is prone to foreign domination. The two hundred years old British rule teaches us that a deeply divided society is prone to foreign domination

Challenges in handling extremism:

- **Political and Administrative**
 - Acts of extremism creates divided society polarized on the basis of religion, caste or place of birth. Politicians try to utilize the societal division to earn votes. This further deepens mistrust among communities.
 - Biased and prejudiced police
 - Time-taking and costly judicial process
 - In the absence of data, there is a lack of scope for evidence-based policy making
 - Slow pace of police reform. According to a report of the Comptroller and Auditor General of India, there is a shortage of arms, ammunition and personnel.
- **Social**
 - In a traditional society like in India, the society is divided on the basis of caste, religion, ethnicity etc.
 - There is a lack of value education in schools and colleges.
 - Stress is not given to infuse the ideals of liberty, equality, tolerance and respect for the constitutional morality among the children
 - There is lack of community engagements which can be utilized to foster the idea of peace, love and brotherhood among the citizens of the country.
- **Economic**
 - In India we have limited resources and widespread poverty. Economic depravity often becomes the reason for communal tension.

Impact of socio-economic development on Extremism:**Positive Impacts:**

- **Social Stability:**
Social and economic development policies can contribute to social stability. Extremist organization gets potential recruits from the marginalized section of the society who have a sense of deprivation. For poor, unemployed youth the romanticized call of revolution is considered as the most appropriate response to their deprivation.

- **Human opportunity:**
The state should guarantee the right to livelihood opportunity, employment opportunity and life of dignity. This would make path of terrorism as unattractive for aspiring youth

Negative effect:**Development-induced displacement**

- **Special Economic Zone:**
Extremists have stated one of their objectives as fighting against India's efforts to set up SEZ in tribal areas reflecting the adverse effects of development.
- **Mines and minerals:**
Eastern India is rich in natural resources including forests, minerals and mines. Tribals face exploitation and harassment from government and corporate bodies who target to extract those resources.

Government Efforts:**Constitutional-**

<i>Constitutional Provision</i>	<i>Explanation</i>
5th Schedule	<ul style="list-style-type: none"> ● The Fifth Schedule of the Constitution deals with the administration and control of scheduled areas and scheduled tribes in any state except the four states of Assam, Meghalaya, Tripura and Mizoram ● The special developmental needs of the tribal people are effectively addressed and implementation of tribal development projects are closely monitored. It aims to bridge the socio-economic gap between tribal people and other inhabitants in the state
6th Schedule	<ul style="list-style-type: none"> ● 6th schedule deals with the administration of the tribal areas in the four northeastern states of Assam, Meghalaya, Tripura and Mizoram ● It provides autonomy in governance. This provision aims to address the requirement of self-governance for societal development, to vitiate the feeling of mistrust among the government and the governed.
9th Schedule	<ul style="list-style-type: none"> ● To achieve the objective of land reform, the 9th schedule was added through the first constitution amendment act. The object was to save land reforms laws enacted by various States from being challenged in the Courts. ● Land alienation is a major cause for Naxalism. Land reform aimed to redistribute the ceiling-surplus land among the landless labourers. Failure of land reform is one of the major causes for continuation of the left-wing extremism
Article 371A, 371B, 371C, 371D, 371E, 371F, 371G,	<ul style="list-style-type: none"> ● It aims to safeguard the rights of local people and cater to their socio-economic developmental needs

371H, 371I and 371J	<ul style="list-style-type: none"> Respecting the age-old culture and traditions of any particular section of the society helps in creating an atmosphere of trust among citizens.
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Legal:

<i>Legislation</i>	<i>Effect</i>
The Scheduled caste and scheduled tribe (Prevention of atrocities) 1989	Caste discrimination and untouchability still persist in the country. The act aims to protect the marginalized section of the society against violence and discrimination.
PESA (Panchayats Extension to Scheduled Areas) Act, 1996	PESA (Panchayats Extension to Scheduled Areas) Act, 1996 ensures self-governance through traditional Gram Sabhas for people living in the Scheduled Areas of India
National Rural Employment Guarantee Act, 2005	MGNREGA provides social security measure that aims to guarantee the 'right to work'
The Schedule Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	The law concerns the rights of forest-dwelling communities to land and other resources, denied to them over decades as a result of the continuance of colonial forest laws in India. This act recognized rights of tribals over minor forest produce. Recently, Forest Minor produce was also covered under Minimum selling price regime
The Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and resettlement Act, 2013	New land acquisition act which includes, consent, enhanced compensation, social impact assessment and Rehabilitation & Resettlement of displaced.

Administrative:

<i>Programs</i>	<i>Effects</i>
National Policy and Action Plan to tackle	<ul style="list-style-type: none"> The prominent characteristic of the new policy is zero tolerance towards violence coupled with a big push to developmental activities so that benefits

<p>Left Wing Extremism, 2015</p>	<p>of development can reach the poor tribals and others in the insurgency-inflicted areas.</p> <ul style="list-style-type: none"> ● It also provided for focused deployment of resources, both security and development related, in identified ‘Most Affected Districts’. ● As per report of the Ministry of Home Affairs, Incidents of violence have seen a 20% decline with a 34% reduction in related deaths in 2017 as compared to 2013
<p>Backward Regions Grants Fund</p>	<ul style="list-style-type: none"> ● it is designed to redress regional imbalances in development. The fund will provide financial resources for supplementing and converging existing developmental inflows into 250 identified districts. ● This aims at filling local infrastructural gaps, strengthening local government institutions and building mechanisms for professional help to these local bodies
<p>Modernization of Police Forces Scheme</p>	<ul style="list-style-type: none"> ● Under the Security Related Expenditure Scheme (SRE) of the MHA, the centre provide funds to the states for the purpose of reimbursement of security related expenditure like transportation, communication, hiring of vehicles, stipend for surrendered Maoists, temporary infrastructure for forces etc ● Special Central Assistance (SCA) for 35 most Left-wing Extremism affected districts ● Integrated action plan (IAP) ● Civic Action Programme (CAP) aims to improve relations between Security Forces and local people ● To counter maoist propaganda a Media Plan Scheme has been envisaged. ● Special Infrastructure Scheme (SIS) includes construction of fortified Police Stations in Naxal-infested states.
<p>Infrastructure development initiative</p>	<ul style="list-style-type: none"> ● Road Requirement Plan-I (RRP-I) for improving road connectivity in 34 Left-wing Extremism affected districts of 8 States ● Road Connectivity Project for LWE affected areas (RRP-II) was approved in 2016 for further improving road connectivity in 44 districts of 9 LWE affected States. ● To provide mobile services in 96 districts of Left-wing Extremism-affected states projects are being approved under Universal Service Obligation Fund (USOF) supported scheme ● To improve mobile connectivity in the Left-wing Extremism areas, LWE Mobile Tower Project has been adopted.
<p>Skill Development initiative</p>	<ul style="list-style-type: none"> ● ‘Skill Development in 34 Districts affected by Left Wing Extremism’ is implemented by the ministry of Skill development and entrepreneurship.

	<p>Under the scheme several Industrial Training Institute and Skill development centres have been established.</p> <ul style="list-style-type: none"> ● Roshni scheme helps in providing training and placement to rural poor youth from 27 LWE affected districts
Samadhan Strategy	The acronym SAMADHAN can be detailed as Smart leadership, Aggressive strategy, Motivation and training, Actionable intelligence, Dashboard-based Key Performance Indicators and Key Result Areas, Harnessing technology, Action plan for each theatre and No access to financing

WAY FORWARD:

Extremism is an urgent problem which requires multi-prong approach. Focusing only on counter-insurgency operation will not lead to eradication of the problem. There is a need to identify the roots of insurgency and to adopt multi-pronged remedial measures such as,

Political and administrative

- a) Strengthen grassroot democracy which would bridge the gap between the government and the people
- b) For Development process to be successful, the state needs to ensure that,
 - Community leaders and members are engaged during the planning process
 - The development process should focus on the needs of the local communities. The Needs should be identified through proper assessment.
 - The process should be neutral, accountable, transparent and ensure people's participation.

Social

- a) Value education in schools and colleges
- b) Community engagement to foster fraternal ties
- c) Encourage cultural exchange among communities

Economical

- a) Counter-insurgency operation should be integrated with land reform measures, development activity in hilly and tribal areas, providing the youth with employment opportunities etc.

Ideological

- a) The idea of extremism can only be tackled by a counter-narrative.
- b) The counter-narrative can be adopted from the ethos of Indian civilization. For Example, the idea of 'Vasudhaiva Kutumbakam', which implies 'whole world is one family', is adopted from The Upanishad
- c) The great Asoka, Akbar or Gandhi had preached the ideals of love and brotherhood among all irrespective of any natural or societal differences.

Geo-Political

- a) Engage with members of regional groupings which focuses on tackling counter-terrorism such as BRICS, Shanghai Cooperation Organisation to cooperate on counter-extremism measures.
- b) Utilize the SAARC to ensure peaceful neighbourhood.

7. COMMUNAL VIOLENCE

<p>CONTENTS:</p> <ol style="list-style-type: none"> 1. Introduction of communal violence 2. Instances of Pre-independence communal violence 3. Instances of Post-independence communal violence 4. Reasons, effect-analysis 5. Impact of Communal violence 6. Established mechanism to tackle communal violence 7. Challenges 8. Way forward 9. Conclusion 	<p>SYLLABUS:</p> <p>GS III: Internal Security - Communal violence</p>
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Introduction:

- Communal violence includes all forms of atrocities inflicted on members of one community by members of any other communities. For example, Hindu-Muslim riot in 1947 is an example of communal violence.
- The problem of violence arises when communities associate their identity with religious affiliation, caste, race, language or any other markers and they perceive the interest of other communities as antagonistic to their own aspirations.
- Often political parties try to mobilize people along sectarian communalism to gain power in a democratic politics. The number-dynamics in a majoritarian democracy tends to overlook the principles of constitutional morality and puts the minority community in danger. Invoking sectarian feelings among the communities inflicts deep distrust among them. The seed of mistrust leads to riots, rape and killings.
- India is a land of diversity. There are 22 official languages recognized by the State and thousands of languages and dialects are spoken by people in different corners of the country. Four of the world's major religions namely Hinduism, Buddhism, Jainism and Sikhism originated here. People in different regions express diverse cultural traits in the form of dietary habits, choice of attire, observing rituals, festivals and also other practices.
- Disrespecting the cultural and constitutional value of 'Unity in diversity' only jeopardizes the social harmony, threatens the sovereignty and territorial integrity of the nation and puts the 'idea of India' in danger.

Instances of Pre-Independence communal violence:

- **Ancient India:**
 - It is alleged that Buddhism disappeared from India as buddhist faced persecution by the authorities and hostility from fellow communities.
 - Ancient text 'Ashokavadana' mentions hostility between Buddhists and followers of Ajivika sect.

- **Medieval India:**
 - Arrival of Islam in India is marked by occasional occurrences of violence such as Mahmud Ghazni's destruction of Hindu temples and Mahmud of Ghor's attack on Hindus, Jains and Buddhists.
 - **Mughal Empire:**
 - Jahangir's order to execute Guru Arjun Dev changed the character of Sikhism. Sikhs began to perceive that militancy is the only way to protect their faith.
 - Aurangzeb had faith in religious fundamentalism. It is alleged that he ordered the destruction of several temples at holy places such as Varanasi, Mathura and Somnath temple in Gujarat.
 - Tens of thousands of Goan Hindus were massacred by the Portuguese between 1561 and 1774 and many others were forcibly converted to Christianity.
 - After seizing control of Kashmir, Maharaja Ranjit Singh's Sikh governors in Kashmir followed anti-Muslim policies.
- **Colonial Era:**
 - The ruler of the Kingdom of Mysore, Tipu Sultan ordered the destruction of Catholic churches, seized property of Christians and also ordered prosecution. Hindus, particularly the Nair and Kodava communities were subjected to forcible conversions to Islam, death, and torture.
 - **Moplah Rebellion (1921):**
It was an Anti-Hindu rebellion conducted by the Muslim Mappila community of Kerala. Inspired by the Khilafat movement Muslim peasants murdered, pillaged the property of Hindu landowners and forcibly converted thousands of Hindus.
 - **Direct Action Day:**
Muslim League withdrew its agreement to the plan of Cabinet Mission and announced a general strike to assert its demand for a separate Muslim homeland on 16 August, 1946. The protest triggered massive riots in present-day Kolkata in which more than four thousand people lost their lives and more than a lakh people were left homeless within 72 hours. The violence sparked off further religious riots in the surrounding regions of Noakhali, Bihar, United Provinces, Punjab, and the North Western Frontier Province.
 - **Partition of India:**
The deepest tragedy in the history of the sub-continent is the partition of it. The subcontinent has been bound by the bonds of shared history, shared challenges and shared culture. The thread of brotherhood was snapped by the whims of few politicians and statesmen. The communal violence took away one million lives and displaced around ten millions more. The burn of partition is still being felt in many instances, for example anti-Bengali riot in Assam in the 1980s.

Instances of Post-Independence communal violence:

- a) In the 1960s, Hindu refugees from the erstwhile East Bengal were targeted in places such as Rourkela, Jamshedpur and Ranchi where the Hindu refugees were being settled.
- b) Gujarat riot, 1969:
The communal riot was triggered by Muslims attacking sadhus and a temple and in response, the Hindus attacked a dargah. Massive riot broke out which involved massacre, arson and looting on a large scale.

The riots started in Ahmedabad, and then spread to other areas Vadodara, Mehsana, Nadiad, Anand and Gondal.

c) Nellie massacre, Assam Agitation (1983):

The Bengali refugees from Bangladesh was at the receiving end of the wrath of Assamese and Assam agitation. The massacre was triggered by the decision of the Prime Minister Indira Gandhi to give the right to vote to four million Bangladeshi immigrants. Described as one of the worst pogroms after the second world war, Nellie massacre claimed the lives of around ten thousand people within six hours.

d) Anti-Sikh riots (1984):

The riot was triggered by the assassination of the Prime minister Indira Gandhi by her sikh bodyguard as a response to controversial 'Operation Blue Star'. More than four thousand Sikhs were killed in Delhi, Uttar Pradesh and other parts of India.

e) Bhagalpur riots, 1989:

The riots were fallout of Babri masjid-Ram Janmabhoomi controversy. Over a thousand people were killed, and another fifty thousand were displaced as a result of the violence

f) Exodus of kashmiri pandits from Kashmir (1990s):

Kashmiri Pandits began to leave in much greater numbers in the 1990s during the eruption of militancy, following persecution and threats by radical Islamists and militants.

g) Demolition of Babri masjid (December, 1992):

In community clash, nearly two thousand people have lost their lives in Mumbai, Surat, Ahmadabad, Kanpur, Delhi and other places

h) North-East India:

i) Mizoram: In 1997, around forty thousand Bru/Reang people were displaced from their ancestral homeland in Mizoram following a communal clash between the Mizos and the Reangs. Majority Mizo labelled the Reangs as 'non-indigenous tribe' and demands that the name of reangs be removed from electoral rolls.

ii) Tripura: The Christian separatist group National Liberation Front of Tripura (NLFT) has proclaimed bans on Hindu worship. They had attacked Reangs and Jamatia tribesmen in the state of Tripura for having affiliation to faith other than christianity.

i) Godhra train burning, Gujarat riot (2002):

In 2002, Gujarat witnessed communal riots when violence was triggered by the burning of four coaches of a train in Godhra Railway station. The passengers were mainly hindu pilgrims returning from disputed Babri masjid-Ram janmabhoomi, Ayodhya. The Concerned Citizens Tribunal Report, estimated that as many as two thousand people, mostly muslim, may have been killed in the riots

j) Muzaffarnagar Riots: In 2013, clashes between Hindus and muslim was triggered by a 'fake video' circulated in social media. The riot resulted in the death of a hundred people and displacement of around fifty thousand people.

k) Mob Lynching, Cow Vigilantism:

According to data from the website Fact Check.in, In the last decade (from 2009 to 2019), 297 hate crimes were reported across India which led to the death of 987 people while 722 people were injured.

- A 68-year-old Muslim man was thrashed in Assam and forced to eat pork on the suspicion that he was selling beef.
- An elderly Muslim man was shot dead, and another injured, by a group of cow vigilantes who suspected him of carrying beef.

- On the day of Holi, a mob beat up members of a Muslim family in Gurgaon and asked them to 'go to Pakistan', allegedly over a row over cricket.
- A madrasa teacher in West Bengal was allegedly beaten and pushed off from a train because he refused to chant Jai Shri Ram.

Reasons of communal violence:

Political-

- Electoral democracy promotes majoritarian politics when constitutional values are not respected wholeheartedly. In India, political parties directly or indirectly promotes favoritism to particular community or communities to win elections. Often their political actions incites communal violence and deepen distrust among people.

For example: One of the major political slogans of some political parties is to build the Ram temple in disputed Babri masjid-Ram janmabhoomi site.

Governance-

- British government deliberately followed 'Divide and Rule' policy as the empire was afraid of Indian national unity and freedom struggle.
 - In 1905, British planned the partition of Bengal, In 1909, British provided separate electorate to Muslim through Morley-Minto reform.
 - In 1932, the British PM Ramsay Macdonald announced the Communal award which granted separate electorate to the Depressed class and others.
- Biased police, government and courts encourages sectarianism in society on the basis of race, caste, religious faith or political affiliation. For example, National Human Right Commission Criticized the Gujarat Govt's role in failing to control violence, in providing relief to the victims & prosecute the perpetrators of this violence.
- Ineffective handling of law and order issues.
- Poor governance damages citizen's trust in the government. To resolve any inter-community issues people are reluctant to utilize government institution such as the judiciary, there is more chance of communal violence.
- Poor administration limits the government's ability to provide effective response against communal violence

Social-

- Places with history of communal riots are more prone to communal clash as there is underlying tension in the social fabric.
- Through social media any information can reach to thousands of people in a second. Fake news are circulated through Whatsapp messages, facebook for vested interests which deepens mistrust among communities and often result in riots.
- **Psychological Factors:**
 - The lack of inter-community trust provoke perception of threat, harassment, fear and danger among communities.

- The idea of ‘superiority’ of one culture over another, leads to feeling of deprivation and discrimination. For example, The Bhima-Koregaon violence in 2018 in Maharashtra is seen as an instance of ‘Dalit assertion’ against Brahmin domination.
- **Religious factors:**
 - The orthodox members of Religious communities tend to promote the uniqueness of their identity with their own cultural patterns, personal laws and thought.
 - the partition of the country into India and Pakistan left a feeling of distrust among the different communities.
 - The minority feel themselves alienated from the mainstream national agenda.
- **Cultural Factors:**
 - Lack of Cultural similarity is an important factor which resist fostering amicable relations between any two social groups.
 - **Geographical Factors:** The territorial settlement of different communities in different places led to development of variation in the mode of life. Cultural distinctiveness may result in friction in the absence of values of tolerance and liberty.

Economic-

- It is easy to lure a poor person with promise of food, ration, job.
Uneven development, class divisions, poverty and unemployment increases the insecurity in the common men and makes them vulnerable to political manipulation.
For example: Attack on immigrants in Bengaluru, Mumbai by local people.
- The educational backwardness and insufficient representation of the marginalized section of the society in the public service, ignites the feeling of relative deprivation.

Geo-Political-

- Allegedly, Pakistan provides arm, ammunition and fund to Naxalists in India through Nepal.
- China supplies financial support to Insurgency groups such as the NSCN (Khaplang) group in the north-east India. They provide ideological and material support to the militant groups.

Impacts of Communal Violence:

- Political
 - Communal violence often leads to marginalisation of the minority community by the majority community. The minority group live in fear and they are deprived of their basic political rights and civil liberties.
 - Polarization of society due to communal violence is utilized by political party to achieve power.
- Social
 - Communal violence disturbs social harmony and infuses mistrust among members of communities. Thus, making the society further prone to such violence
 - A polarized society can not respect the ideas of ‘Equality of status’ and ‘Equality of opportunity’
- Economic
 - During riots economic activities are disturbed, wealth of common people are looted, the public properties are destroyed. This creates a huge strain on the public purse.

- Human Lives
 - According to the figures of the Ministry of Home Affairs, India witnessed 10,399 incidents of communal violence from 2004 to 2017 wherein 1,605 people were killed and 30,723 were injured.
 - According to the figures of the Ministry of Home Affairs, there has been a 28% rise in the instances of communal violence in between 2014 and 2019.

Established Mechanism To tackle communal Violence:

Legislative:

- **Anti-Lynching Law** passed by **Manipur State Legislative assembly**
 - The Manipur law creates a nodal officer to control hate crimes in every district.
 - The act also provides for special courts and enhanced punishments
 - However, the law excludes solitary hate crimes from its provisions. For the law to apply, it is required that these hate crimes are undertaken by mobs.
- **Section 154A of the Indian Penal Code:**
 - The section is used to punish persons who are accused of fostering enmity between people on the basis of religion, race, language.

Executive:

- National human rights commission (NHRC) in India fights for the causes of rights of the victims, but its recommendations are advisory in nature, hence the NHRC is criticized as a 'toothless paper tiger'.
- Rapid Action Force had been set up as a wing of CRPF. It is a specialised body to deal with riots, riot like situations, crowd control, rescue and relief operations.
- Sachar committee, appointed in 2005, recommended to set up Equal opportunity commission (EOC) in 2010. EOC was to set up a grievance redressal mechanism for all individual cases of discriminations, religion, caste, gender & physical ability among others.
- National Commission for Religious and Linguistic Minorities was established by the Government of India to suggest practical measures for the upliftment of the socially and economically backward sections among religious and linguistic minorities and to include the modalities of implementation for the same. The commission is also known as Rangnath Mishra commission after its chairman. The report of the commission suggested that 10% should be reserved for Muslims and 5% for other minorities in central and state government jobs in all cadre and grades.

Judiciary:

- In a judgement pronounced in July, 2018 The Supreme Court has asked Parliament to consider enacting a new law to effectively deal with incidents of mob lynching. Apex court asserted that 'horrendous acts of mobocracy' cannot be allowed to become a new norm in the democracy. It provided 11 directions for police, district administration, state and the central government which includes preventive, remedial and punitive steps to tackle the challenge of mob lynching.

11 directives of the Supreme court:

1. The state governments shall designate a senior police officer in each district for taking measures to prevent incidents of mob violence and lynching.

2. The state governments shall immediately identify districts, sub-divisions and villages where instances of lynching and mob violence have been reported in the recent past.
3. The nodal officers shall bring to the notice of the DGP any inter-district co-ordination issues for devising a strategy to tackle lynching and mob violence related issues.
4. It shall be the duty of every police officer to cause a mob to disperse, which, in his opinion, has a tendency to cause violence in the disguise of vigilantism or otherwise
5. Central and the state governments should broadcast on radio and television and other media platforms including the official websites that lynching and mob violence shall invite serious consequence.
6. Curb and stop dissemination of irresponsible and explosive messages, videos and other material on various social media platforms. Register FIR under relevant provisions of law against persons who disseminate such messages.
7. Ensure that there is no further harassment of the family members of the victims.
8. State governments shall prepare a lynching/mob violence victim compensation scheme.
9. Cases of lynching and mob violence shall be specifically tried by designated court/fast track courts earmarked for that purpose in each district. The trial shall preferably be concluded within six months.
10. To set a stern example in cases of mob violence and lynching, the trial court must ordinarily award maximum sentence upon conviction of the accused person.
11. If it is found that a police officer or an officer of the district administration has failed to fulfill his duty, it will be considered as an act of deliberate negligence.

Challenges:

- **Political and Administrative**

- Political parties intentionally tries to polarize the society to get votes. They often incites communal tension which results in violence and riots
- Biased and prejudiced police
- Time-taking and costly judicial process
- In the absence of data, there is a lack of scope for evidence-based policy making
- Slow pace of police reform. According to a report of the Comptroller and Auditor General of India, there is a shortage of arms, ammunition and personnel.

- **Legislative**

- There is no firm law to punish the originators of such violence, no clear policy for relief and rehabilitation of victims. There is no regulations for security of witness, for accountability of public servants, etc
- The law enforcement agencies are themselves not aware of the provisions in the Indian Penal Code (IPC) and Criminal Procedure Code (CrPC) which can be used to punish the perpetrators of communal violence.
- Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011' lapsed in the parliament. The bill provided for a seven-member National authority for communal harmony, justice and reparations. It attempted to safeguard certain affirmative rights for the minority sections. It also had provisions for ensuring accountability of the district administration

- **Social**
 - In a traditional society like in India, The society is divided on the basis of caste, religion, ethnicity etc.
 - There is a lack of value education in schools and colleges.
 - Stress is not given to infuse the ideals of liberty, equality, tolerance and respect for the constitutional morality among the children
 - There is lack of community engagements which can be utilized to foster the idea of peace, love and brotherhood among the citizens of the country..
- **Economic**
 - In India we have limited resources and widespread poverty. Economic depravity often becomes the reason for communal tension.

Way Forward:

Legislative

- There is a need to bring in law which can holistically prevent communal violence and can punish the perpetrators of targeted violence.
- The parliament should renew effort to pass the ‘Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011’ which had lapsed in the parliament.
 - The bill provided for a seven-member National authority for communal harmony, justice and reparations. It attempted to safeguard certain affirmative rights for the minority sections. It also had provisions for ensuring accountability of the district administration.

Economic:

- The Government need to reduce poverty through poverty alleviation program. Employment-guarantee scheme such as Mahatma Gandhi National Rural employment guarantee scheme and other schemes such as Skill India Mission, NRLM, NULM should be promoted.
- Minority welfare schemes such as USTAAD, Roshni will help to remove inter-community inequality and feelings of relative deprivation.

Social:

- Promote values of tolerance, equality and tolerance among students in schools and colleges.
 - Community engagement involving Non-governmental Organisation has proved to be effective to achieve this purpose.
For example, Karuna Center for peacebuilding, an NGO based in Ahmedabad, worked with Hindu and Muslim NGO leaders in Ahmedabad to develop bi-communal programs in their communities in the aftermath of this violence.
- Use mass media to spread the message of fraternity and to stop the spreading of any rumour.
- Increase the representation of minority community in law-enforcement agencies, government departments.

Governance:

- The Government should identify and map of riot prone areas. For Example, Delhi police used drones to monitor to maintain vigil during communal festival.

- There is need to reform the Criminal Justice system. As suggested by the Justice Malimath committee report Speedy trial, harsh punishment, provision of punishment for negligence of duties by the police would be helpful
- There is need of codified action policy, guidelines for the government agencies to tackle communal violence. Specialised training for the police force to handle communal riots and setting up special investigating and prosecuting agencies can act as deterrence.

Experience of other nations:

- The Malaysian Ethnic Relations Monitoring System (known by its acronym Mesra) that makes use of a quality of life index (included criteria such as housing, health, income and education) and a perception index to gauge people's needs and feelings about race relations in their area. The system acts as early-warning indicators to prevent racial clashes.
- Hong Kong model of combating communalism by setting up a "Race Relations Unit" to promote racial harmony and facilitate integration of ethnic minorities.
 - RRU has established a hotline for complaints and inquiries on racial discrimination.
 - to create awareness about communal harmony, RRU talks to schools on culture of ethnic minorities and concept of racial discrimination.

Conclusion:

Communal violence is a menace for society. It violates the right of a citizen to enjoy the constitutional principle of 'liberty, equality and social justice'. Communal tensions disrupts the feeling of brotherhood in society and thus endangers the unity and integrity of the country. There are political, social or economic vested interests who try to encourage the forces of divisiveness. It is impossible to achieve economic and social prosperity without the environment of peace and harmony. It is imperative to foster amicable social ties, then only India will be able to gain the rightful place in the comity of the nations.

8. ORGANISED CRIME

<p>CONTENTS:</p> <ul style="list-style-type: none"> ● Introduction ● Definition of Organized crime ● Characteristics of the organized criminal groups. ● Types of Organized Crime ● Organized Crime and its linkages in India. ● Impacts of organized crime. ● Problems in Control Efforts. ● Combating OC ● Legal Position in India On Organized Crime. ● Few solutions against organized crime in India ● Conclusion 	<p>SYLLABUS – GS-III - Internal Security</p>
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INTRODUCTION

- Organized crime (OC) is a continuing criminal enterprise that rationally works for profit from illicit activities that are often in great public demand, such as liquor in dry states or unregistered firearms. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats or force to protect its operations. Due to its vast network and operations both inside and outside any nation's boundary OC changes its character into 'trans-national'.
- India has a long history of fighting separatist insurgencies and controlling civil conflicts that are spread across different parts of the country. OC acts as a catalyst for several other forms of violence and crime e.g. by providing weapons to insurgents through arms smuggling, use drug money to fund militancy, give logistical support to terror networks all over the world.
- It affects directly or indirectly all sectors of society and undermines the linkages between governments and their citizens. If unchecked, OC ruptures social cohesion, divides families and people, corrupts institutions, and destabilizes the very social and economic fabric of our societies, as well as damage the democratic functioning and constitutional arrangements.
- The most obvious distinction between organized crime and other forms of criminal conduct is that it is "organized." In general terms, it does not include random, unplanned, individual criminal acts. Instead, it focuses exclusively on planned, rational acts that reflect the effort of groups of individuals
- There are several conditions that make India particularly prone to transnational organized crime proximity to major heroin producers and exporters, regional drug trade through overland routes and the sea.

Different types of organized crimes.

1. Narcotics trafficking
2. Arms trafficking
3. Human smuggling
4. Gold smuggling
5. Fake currency
6. Kidnapping and extortion

7. Contract killing/supari killing
8. Cyber crime
9. Money laundering
10. Maritime piracy
11. CBRN smuggling (Chemical, biological, Radiological and nuclear Defense)
12. Trading in human body parts
13. Infiltration of illegal businesses

It is worth mentioning that the first five activities in the above list are more prone to have terrorist linkages.

Definition of Organized Crimes:

- The realization that not a single country, no matter how powerful, can fight organized crime across borders in isolation, led to the passage of the United Nations Convention against Transnational Organized Crime, which came into force in 2003.
- The **Convention does not contain a definition of transnational organized crime or organized crime.** The reason for that, there are many elements of organized crime, which might not occur in every case, and might also change over time, making a specific consensus definition difficult. Instead, **the Convention defines "an organized criminal group."**
- Under the Convention (article 2a), an "organized criminal group" is defined using four criteria:
 1. A structured group of three or more persons;
 2. The group exists for a period of time;
 3. It acts in concert with the aim of committing at least one serious crime;
 4. To obtain, directly or indirectly, a financial or other material benefit.
- However, USA's Federal Bureau of Alcohol, Tobacco and Firearms, defined organized crime as: -

Organized crime refers to self-perpetuating, structure and disciplined associations of individuals or groups, combined together for the purpose of obtaining commercial or monetary gains or profits, wholly or in part by illegal means, while protecting their activities through a pattern of graft and corruption.

Characteristics of the organized criminal groups:

1. **Continuity:** The criminal group operates for very period of time.

Few common features of Organised crime.

- The purpose of organized crime is to financially profit through crime.
- Their illegal activities are conspiratorial.
- They conduct their activities in a methodical, systematic, or highly disciplined and secret fashion
- They insulate their leadership from direct involvement in illegal activities by their intricate organisational structure.
- Organized crime mainly responds to public demand for services. E.g. supply of liquor in Gujarat and Bihar.
- Corruption is an enabler that protects organized crime operations.
- Sometimes intimidation, threats and/or force are also needed to protect those operations.

2. **Structure:** The criminal group is structured as a collection of hierarchically arranged interdependent position devoted to the accomplishment of a particular function. It may be highly structured or may be rather fluid. It is, however, distinguishable as the ranks are based on power and authority.
3. **Membership:** The membership in the core criminal group is restricted and based on common traits such as ethnicity, criminal background or common interests. The potential members are subjected to a lot of scrutiny and required to prove their worth and loyalty to the criminal group. The rules of membership include secrecy, a willingness to commit any act for the group and intent to protect the group. In return for loyalty, the member of a criminal group receives economic benefits, certain prestige, and legal protection.
4. **Criminality:** The criminal group relies on continuing criminal activity to generate income. Thus, continuing criminal conspiracy is inherent in organized crime. Some activities such as supplying illegal goods and services.
5. **Violence:** Violence and the threat of violence are an integral part of a criminal group. The violence or threat of it is used against the members of the group to keep them in line as also against the outsiders to protect the economic interests of the group. Members are expected to commit, condone or authorize violent acts.
6. **Power/Profit Goal:** The members of the criminal group aim at maximizing the group's profits. The political power is achieved through the corruption of public officials, including legislators and political the criminal group maintains power through its association with the "protectors" who defend the group and its profits.

Types of Organized Crime

1) Drug Abuse and Drug Trafficking:

- It is perhaps the most serious organized crime affecting the country and is truly transnational in character.
- India is geographically situated between the countries of Golden Triangle and Golden Crescent and is a transit point for narcotic drugs produced in these regions to the West.
- Illicit drug trade in India centres around five major substances, namely, heroin, hashish, opium, cannabis and methaqualone. Seizures of cocaine, amphetamine, and LSD are not unknown but are insignificant and rare.

2) Smuggling

- Smuggling is another major economic offence, which consists of clandestine operations leading to unrecorded trade.
- India has a vast coast line of about 7,500 kms and open borders with Nepal and Bhutan and is prone to large scale smuggling of contraband and other consumable items.

3) Money Laundering & Hawala

- Money laundering means conversion of illegal and ill-gotten money into seemingly legal money so that it can be integrated into the legitimate economy.
- Financial gains from drug related crimes are an important source of money laundering.

What Is Hawala?

- It is a method of transferring money without moving the funds (money) physically.
- Interpol's definition of hawala is "money transfer without money movement."
- **Hawala is an alternative remittance channel that exists outside of traditional banking systems.** Transactions between hawala brokers are made without promissory notes because the system is heavily based on trust and the balancing of hawala brokers' books.
- E.g.: If a construction in a Dubai wanted to send money to his nephew in Mumbai, he would have gone to a shop (that deals in Hawala system). There, he'd hand cash in Dirham to a broker in return for a secret code. His nephew would then go to a shop in Mumbai, say the code and take the equivalent amount home, in rupees.

4) Terrorism & Narco-Terrorism

- Terrorism does not fall in the category of organized crime, as the dominant motive behind terrorism is political and/or ideological and not the acquisition of money-power.
- Whereas the Narcoterrorism is directly related to the OC.
 - **Narcoterrorism** is a term coined by former President Fernando Belaúnde Terry of Peru in 1983 when describing terrorist-type attacks against his nation's anti-narcotics police.

The **Golden Triangle** is the area where the borders of **Thailand, Laos, and Myanmar** meet at the confluence of the Ruak and Mekong rivers.

The name "Golden Triangle"—coined by the CIA (Central Intelligence Agency).

The **Golden Crescent** is the name given to one of Asia's two principal areas of illicit opium production located at the crossroads of Central, South, and Western Asia. This space overlaps three nations, **Afghanistan, Iran, and Pakistan**, whose mountainous peripheries define the crescent.

- Narcoterrorism is understood to mean the attempts of narcotics traffickers to influence the policies of a government or a society through violence and intimidation, and to hinder the enforcement of anti-drug laws by the systematic threat or use of such violence.
- Pablo Escobar's violence in his dealings with the Colombian government is probably one of the best known and best documented examples of narcoterrorism.
- The relation between the terrorism and narcoterrorism can be understood by the fact that criminals who involved in killings, kidnappings, gun-trafficking and drug trafficking, directly or indirectly fund terror operation or providing safe heavens to terrorists.

5) Contract Killings

- The method adopted in contract killings is by engaging a professional gang for a monetary benefit.
- **Contract killing** is a form of murder in which first person hires second one to kill the third person or group of people in exchange for some form of payment, monetary or otherwise.

- The chance of detection in contract killings is quite low, one reason may be because the gang leaders employ new recruits with no prior criminal record for such killings.

6) Kidnapping for Ransom

- Kidnapping by criminal, especially in urban areas, is seen as very lucrative way to extort money from the victims.
- Out of the fear of kidnapping, several people from wealthy section of society started to pay 'protection money', money that criminals take from the people in exchange for agreeing not to hurt them or damage their property.
- There are several local as well as inter-State gangs involved in it as the financial rewards are immense vis-a-vis the labor and risk involved.

7) Illegal Immigration

- Many people want to move to foreign countries for lucrative jobs but they did not have appropriate documents, such as valid passport or visas.
- The aspiration to obtain valid travel documents and jobs abroad, they fall into the trap of unscrupulous travel agents and employment agencies.

8) Prostitution

- Human trafficking, especially women and children is a very profitable business in which the underworld plays an important part.
- Flesh trade has been flourishing in India in various places and in different forms. The underworld is closely connected with brothels and escort rackets, making plenty of money through this activity.
- According to a study conducted by the Indian Health Organization, there are over 1,000,000 prostitutes in Bombay and an equal number in Calcutta. Delhi and Pune have an estimated 40,000 each.

Evolution of organized crime in India

1. The birth of modern organized criminal gangs in India can be attributed to the decisions of some of the State Governments to impose prohibition on the production and consumption of liquor. It started with Bombay or rather Maharashtra State where prohibition was strictly imposed for the first time in the fifties. Being a banned commodity, it fetched exorbitant prices. It was a bonanza for the bootlegger.
2. Therefore, a large number of petty criminals and anti-social elements took to production and sale of illicit liquor. Initially most of those who entered this business made large profits and grew rich.
3. Later, different gangs got involved in the smuggling of those items or product that were high in demand as well as under high taxation, such as electronics items, gold, etc.
4. In 1980s and 90s, organised criminal gangs diversified their areas, such as kidnapping, extortion, land grabbing, contract killing, etc. major criminals like Dawood, Chota Rajan, Shri Prakash Shukla and many more are involved in these violent activities.

Some of the Organized Criminal Gangs in India.

1. Dawood Gang, Maharashtra
2. Arun Gawli gang, Maharashtra
3. Chota Rajan Gang, Maharashtra
4. Veerappan Gang of Karnataka
5. Om Prakash Srivastava Gang of Uttar Pradesh
6. Sri Prakash Shukla gang, Uttar Pradesh
7. Latif Gang of Ahmedabad
8. Rashid Gang of Calcutta

ORGANIZED CRIME AND ITS LINKAGES IN INDIA

- The cooperation between the groups stems from the need for terrorists to obtain arms and money to conduct operations and for the crime groups to build a client base and act as couriers to smuggle arms, drugs and humans. In some cases, local groups also have **linkages with international crime cartels** and other transnational groups.

A. Linkage Between organized crime and terrorism

The nexus between terrorism and organized crime presents a major challenge for India. After 9/11, the United Nations Security Council (UNSC) adopted a resolution that recognized the close connection between global terrorism and transnational organized crime. While terrorism is an act of political defiance that is carried out overtly, organized crime is mostly conducted covertly to earn profits.

There are few ways through which we understand the OC-terror nexus: -

- Groups engaged in terrorism and organized crime operate together. These relationships have helped terrorist groups to be less dependent on state sponsors, and on their domestic and international supporters.
- The 1990s, especially the second half, witnessed a number of terrorist groups learning OC networks, for e.g. how to enter and escape for any country's jurisdiction undetected, especially from drug cartels uses unique ways in smuggling such as fake family, underground tunnels near borders.
- Terror groups are operating through the cover of sympathetic organizations in Europe and North America, many Asia-Pacific terrorist groups generate huge revenues from video and CD piracy, business in phone and credit card scams.
- While organized crime involves many activities, its linkages with terrorism stem from illegal trafficking of drugs, arms and human beings, fake currency and money laundering. Terrorist groups, whether indigenous or sponsored by outside states, need arms and money for their fight against the security forces.
- **Similarities Between organized crime and terrorism**
 - Terrorists engage in organized crime to support themselves financially. Drug trafficking, money laundering, Fake Indian Currency Note (FICN), contract killing and extortion are the main organized crimes by which terrorists generate money.
 - Organized crime groups and terrorists often **operate on same network structures**. Terrorists thrive under the cloak of transnational organized crime groups. Both organized crime groups and terrorist operate in areas with little governmental controls weak enforcement of laws and open borders.

- Both often **use similar means of modern technology to communicate**. These groups may provide smuggled arms and explosives to terrorist groups in exchange for drugs or diamonds, etc. Terrorist groups make use of smuggling networks established by organized crime to move operatives around the world. Criminal groups also provide money laundering services to terror outfits.
- Organized crime and terrorism **thrive on ineffective governance**, poor checks and balances. They have developed a symbiotic relationship. But neither are all terrorist acts organized crime, nor are all organized criminal acts terrorism; in most developed countries, organized crime thrives with little or no terrorist activities, and in most developing countries, terrorism exists along with varying levels of organized criminal activity.
- **Major differences Between organized crime and terrorism**
 - **On the basis of status quo:** Terrorism aims to overthrow the existing government by altering the status quo. Organized crime, on the other hand, aims to form a parallel government parallel economy while co-existing with the existing one; any change in the status quo is only circumstantial or a by-product and born out of convenience rather than zealous revisionist policy.
 - **Violence means to ends:** Terrorism results in large-scale violence and is conducted to exploit political objectives and religious or nationalist sentiments, whereas Organized crime is also involved violent activities and is carried out for economic objectives. The increasing scrutiny of state-sponsored terrorism after 9/11 dried up funding for terrorist groups by states and pushed these groups towards crime-related activities for funding.

B. Link between terrorism and organized crime in Kashmir

- **Demography:** J&K in India is a UT with a Muslim majority, with Hindus and Buddhists concentrated in Jammu and Ladakh (UT in India), while most Muslims are concentrated in the Kashmir Valley.
- **Separatist outfits** like the Jammu and Kashmir Liberation Front (JKLF) and the Hurriyat Conference, the major external actors fighting in J&K are Pakistan-based groups including the Lashkar-e-Taiba (LET), Jaish-e-Mohammad (JEM), Harkat-ul Jihad al-Islami (HUJI), Harakat-ul-Mujahideen (HUM) among others who operate from across the Line of Control (LOC) - a boundary that bisects the region into India and Pakistan administered parts of Kashmir.
- **Funding:**
 1. These organizations are mostly raised through their local charities, money from donors in the Persian Gulf, state sponsors and handlers, and are mostly derived from outside India.
 2. The Hawala system is a major source of financing in J&K. India's National Investigation Agency (NIA) had conducted several raids in Kashmir and New Delhi in 2017 to plug these sources of funding. Other forms of financing used by terrorist groups in Kashmir include money laundering, drug money and counterfeit currency.
 3. For instance, enormous funds mobilized in Pakistan and other Muslim countries, especially in the Gulf, are channeled through various organizations in Pakistan to Kashmir. Markazdawaal Irshad, for example, mobilizes funds from inside and outside Pakistan to support its militant wing, lashkar-e-taiba.

Markazdawaal Irshad: A Sunni organization formed in 1989 and based in Pakistan; opposes missionary groups from the United States; has Lashkar-e-Taiba as its armed wing

- **The most prominent example of the organised crime terrorism nexus:**
 1. The December 1989 kidnapping of the daughter of Home Minister of India, Rubiya Sayeed by militants. She was subsequently released in return for the release of five Kashmiri militants.
 2. Another prominent incident was the December 1999 hijacking of an Indian Airlines flight to Kandahar in Afghanistan (then under Taliban control) where more than 155 passengers were held hostage for more than eight days before they were freed in return for the release of five Pakistan-based terrorists.
 3. Another significant relationship between organized crime and terrorism, especially in Kashmir, is through the spread of counterfeit currency, FICN. Terrorists are the main couriers of Indian counterfeit currency inside Kashmir which then spreads all over India.

C. Link between insurgency and Organized crime in the North-East (NE).

The links between organized crime and terrorism are particularly rampant in India's Northeastern states.

- **Active groups in NE:** The most well-known insurgents groups operating in the North East include the United Liberation Front of Assam (ULFA) and the Naga insurgency in Nagaland.
- The crime-insurgency nexus constitutes a **sybiotic relationship** in India's Northeast and the connections between these two groups are a by-product of poor governance in these states. These groups run parallel governments in many parts of these states and raise money through illegal trafficking of drugs, arms and human smuggling, money laundering and smuggling of Fake Indian Currency Notes (FCIN), which help finance terrorist operations
- Some of the infamous entry points from South-east Asia includes Moreh and the criminal syndicates had their own network; however, these same routes also being taken by various terrorist groups in the north eastern states.

D. Link between terrorism and organized crime in the rest of India

1. **Western India (Maharashtra and Gujarat):** Mumbai (formerly Bombay) is India's largest city by population, a vast multi-cultural and multi-religious metropolis, business and financial capital.
 - **Mumbai underworld:** Mumbai is also the nerve centre of India's underworld criminal activity and the crucible of the crime-terrorism nexus in the state of Maharashtra.
 - **The example of the most prominent terrorism and crime nexus.**
 - a) The involvement of called '**D-Company**' of Dawood Ibrahim in organized crime in the 1990s. Ibrahim headed a crime syndicate that eventually drifted towards terrorism. The D-Company was smuggling, weapons and drug trafficking, extortion, protection rackets and illegal hawala money transactions.
 - b) **Bombay blast planned by D-company:** In 1993 Bombay bombings were a series of 13 bomb explosions that took place in Bombay on Friday, March 12, 1993. The coordinated attacks were the most destructive bomb explosions in India history. The single-day attacks resulted in over 350 fatalities and 1200 injuries.
 - c) The D-Company is also accused of providing logistic support for the LET attacks on Mumbai on November 26, 2008 (referred to as the 26/11 attacks in India). Around 10

terrorists from Pakistan travelled by the sea to attack hotels, the main railway station and a synagogue in Mumbai.

- d) The D-Company has also established close links with known terrorist groups like LET, Al Qaeda and the Liberation Tigers of Tamil Eelam (LTTE).
- e) The IM terrorist Aftab Ansari who was responsible for attacking the U.S. consulate office in Kolkata has been accused of kidnapping businessmen to fund his operations.

2. *Naxalites/Maoist (The 'Red Corridor')*

- **Origin:** The so-called 'Naxalites' were a group of landless, low caste and tribal people who originally hailed from the village of Naxalbari in the state of West Bengal in 1967.
- **Area of influence:** Over a period, the 'Naxalites' spread their influence in different states of India, which includes Bihar, Chhattisgarh, Madhya Pradesh and southward towards Andhra Pradesh.
- The Naxals built their nexus with local land mafia or Mining Mafia in few mineral rich Indian states. For e.g. in Jharkhand few areas where Naxals run parallel government thus they allow Mine – Mafia to exploit coal mines unchecked in return of hefty pay for their operations
- Their **main funding sources** came from extortion, running parallel governments, collecting taxes from people in rural areas and smuggling small arms, homemade explosives and landmines.
- The Naxalites' primary targets have been politicians and kidnapping of security personnel. The most high-profile attack involved a prominent Congress party politician, Vidya Charan Shukla who died in an attack carried out by the Maoists.

3. Northern India

- Terrorism in the Indian state of Punjab started with **Sikh separatism** and extremism by groups that wanted a separate Sikh state – Khalistan.
 - While militancy in Punjab has been fueled by **external support from Pakistan**, its roots were essentially domestic in nature.
 - Terrorism in Punjab has also been aided by **drug money and smuggling of drugs** from Afghanistan through Pakistan.
 - An article in the Indian Defense Review aptly captures the complex links between terrorism and drug money – “The drug money has become a major source of funding of elections in Punjab and over time, a well-organized drug cartel has come into existence with active connivance of politicians, police officers and drug lords”.

IMPACT OF ORGANISED CRIME

Organized Crime is no longer considered a delicate problem of criminality which has spread and structured into a vast business (illegal) entrepreneurship, rather it became a phenomenon operating on a wide scale impacting the functioning of society and politics worldwide, although its effects vary depending on certain conditions.

It has become a major threat to the security and democratic governance throughout the globe. It is recognized that OC acts as a catalyst for several other forms of violence and crime, it affects directly or indirectly all sectors of society and undermines the linkages between governments and their citizens.

a) IMPACT ON YOUTH

The following shows how youth get inclined and fascinated by the activities of organized criminal gangs.

1. Drugs:

- **Activities:** Youth can be directly involved in the production, exportation, trafficking and the purchase of drugs. OC's involvement in drugs provides for easy availability of illicit substances and the increased use of certain drugs by youth.
- **Spread of diseases:** Use of drugs has other physical, social and emotional impacts as well. These include serious life-threatening diseases acquired by sharing needles, or the chronic health effects of drugs such as MDMA/MDA.
- **Issues:** When OC groups promote drugs to youth at parties, it could lead to sexual assaults, teenage pregnancy and unintended accidents, such as car accidents. Property and theft crimes are also committed by those under the influence of drugs for the purpose of obtaining more drugs.

2. Terrorism / Narco-terrorism:

- **Socio-emotional impact:** Terrorism/narco-terrorism directly impacts youth by physically, socially and emotionally destroying communities. There are also long-term emotional effects include fear, anxiety (in the form of post-traumatic stress disorder), lack of trust among children and parents, and the resulting use of alcohol or drugs to ease the stress which is already documented.
- There is evidence that terrorist organizations use drugs as a **political weapon** to purposely target consumer countries and the children of their enemies.
- **Deviant behavior:** Youth may involve in violent acts such as suicide bombings; militaristic training for joining terrorist cells in proximity to terrorist organizations or host countries.

3. Human Smuggling and Child Sexual Exploitation (Prostitution and Pornography):

- **Sexual Violence:** Once men, women and/or youth are smuggled into a country, the women and children are forced to endure various forms of sexual exploitation. Child sexual exploitation is a lucrative business offered by OC.
- **Recruiting youths to OC network:** Organized criminal groups use ploys to recruit and keep youth; they offer financial and drug incentives to get same-sex peers to recruit other youth. Sexually exploited youth are given drugs to feed their addiction and to sustain their activity.
- **Pornography:** the distribution of activities, such as pornography, through the Internet to unsuspecting and vulnerable youth.
- **Impact on migrant youths:** Migrant trafficking can also lead to xenophobic sentiments from the larger community and fuel racial prejudices which could then contribute to feelings of 'second class citizenry' and immigrants could then lack understanding of that society's norms, resulting in deviant behavior.

4. Youth Gangs:

- **Fulfil need for affiliation:** Analysts and policy makers should be thinking of gangs along a continuum, ranging from groups of friends who spend time together and occasionally get into trouble, to more serious organized criminal groups or gangs.
- **The link between criminal behaviour and drug addiction** was promoted after the **1985 crack cocaine culture** which resulted in, the beatings and stabbings committed in restaurants, bars and some high schools which is an epidemic in the US, where some youth gangs became exclusively drug gangs.
- **Poverty led to violence:** Most of the gangsters had poor economic background and were propelled into the world of crime due to economic difficulties. These facts clear the doubts how youth gangs fall prey to organised criminal groups. Later, youth get involved in contract killing, kidnapping, etc.

5. Money Laundering, Internet, Computers and Software:

- **Media of communication:** The Internet is used as an information-delivery and exchange medium. This permits activities such as luring children and youth to chat groups, and the dissemination of information on illegal activities including how to make or consume drugs.
- **Educated youth:** IT-trained and other skilled youth are also recruited for their technology skills. This enables OC to infiltrate new markets, and ensures secure record keeping designed to thwart police investigations.

b) IMPACT ON ECONOMY

The international economic threat, posed by global OC, in an increasingly global economy is among the major 'new' threats both at the national and international arena.

1. Globalization

- **Globalization facilitates OC:** Economic globalization is in favour of free movement of goods, capital and people. Most of the border restrictions were eased in order to encourage cross-border trade, and check points removed. As a result, illegal drugs, arms and other **contrabands move across the borders** with considerable ease as well. Today, illicit drugs have become one of the truly significant global products of the world. Its trade value is estimated at US\$500 billion annually.
- **Rise of Protectionism:** Recently countries realized that the open borders or low tax regime directly or indirectly hamper the economy, therefore many countries started to bring the protectionism regime, such as tough visa laws, high tariff, etc.

Thus, once the facilitator the globalization today became the victim, for e.g. arms or drug smuggling can be easy through porous borders, all this under the black money i.e. outside the formal banking system. Therefore, it affects the economy as well the society.

2. Attraction of Organised Crime to Legitimate Industry

- **Infiltration into legitimate business:** Industries like construction, interstate or garment manufacturing flow hundreds of millions of dollars a year.

Example: The Garment trucking in New York City is controlled by **Gambino and Luchese crime families** from many years. Garment manufacturers hand over their work of designing, cutting and sewing to smaller shops called contractors, as result, cloth is constantly being shipped by truck from manufacturer to contractor. If goods are delayed in shipping, they do not get to the retail stores in season and so lose much of their value. As a result, control over garment trucking permits organised criminals to exert a tremendous hold over industry.

- **Urban restructuring** enabled large criminal organizations to establish property development branches and construct shopping centres, commercial establishments.
- In the mid-1990s, Mumbai's large, increasingly global organised criminal groups emerged alongside a broader set of actors to gain greater influence in the property development industry. Relying on deep connections to political party organizations and other local elites, including Bollywood producers and actors, they built powerful organizations which overcome regulatory barriers and high land prices.

3. Money laundering (including black money) and Economy

The International Monetary Fund (IMF) has estimated an annual figure ML which is about 2 to 5 per cent of global GDP.

- **Money laundering is a silent crime:** It crosses international boundaries leaving in its wake no obvious victims, no lethal weapons and usually no witnesses. Modern technology has led to new avenues to disguise the proceeds of crime. The advent of electronic money has meant that tracing the transfer of possibly illicit funds is an extremely difficult, if not impossible task.
- **Fraud or shell companies:** Investigating agencies say illicit money is coming back into the country from every possible pore. A favoured route is the dummy software company. Since software has no material value, fraudsters are shipping out cartons of empty floppies to foreign clients and showing export earnings in millions of dollars.
- **OC money worsens national debt:** The large sums of money are lost as tax evasion, thus, the government is forced to borrow money to live up to its people's expectations.

4. Other impact on economy

- **Impact on international financial networks:** Cooperation among Global OC groups has increased as restrictions have lessened between international borders. Foreign havens for criminals and their assets have made it increasingly difficult for Law Enforcement to trace illegal profits; gather evidence on the criminal leaders; and identify and contain criminal groups.
- **OC monopolies:** In certain industries, such as the agriculture and construction markets damage the overall economy because it discourages legitimate, innovative businesses and entrepreneurs (foreign and domestic) from entering the market.

Technological progress in communications and banking institutions and with the huge amount of money in circulation within the system and the ease with which it can be transferred at high speed, have greatly favoured a

basic stage in any illegal business and have; given way to money laundering, which absolves its illegitimate origin and its ownership, then legalizing profits.

C) IMPACT ON POLITICAL SYSTEM

1. **Corruption and Government organs:** Organized criminals can corrupt, the legislative, executive and judicial process in a variety of ways: diluting democratic ideals, subverting the popular will through illicit means and corroding the legitimacy of the democratic political system.
 - OC create or control intermediary organizations, such as commercial associations, lobbies or committees for political action aimed at putting pressure on politics in pursuit of their own interests.
 - Organized criminal groups can also resort to manipulating the electoral process by presenting their own candidates and provide them with huge financial resources and information from their illicit businesses
2. **Controlling communication channels:** OC can gain control of substantial parts of the flow of information generated in democratic societies by acquiring media firms and by bribing or intimidating members of the press, which would lead to a strong bias in the creation of public opinion.
3. **Criminalization of politics:** Their economic power, which sooner or later becomes political power, is so extensive that they can even subjugate certain political parties or create their own parties so as to gain greater control over the structure for taking decisions in political institutions.

In order to reduce risks and increase earnings, organized criminals participate illegally in the political process infiltrates into executive and the legislative bodies eroding the legitimacy of electoral process and this in long run destroy the political institutions of the state.

Cases of OC's impact on political system: -

1. **South American drug cartels** have a destabilizing effect on governments through their financial support of local guerrilla rebels, such as the Sendero Luminoso in Peru and the Revolutionary Armed Forces in Columbia, who share their animosity toward the government and who exchange protection for money and arms supplies.
2. **The Sicilian Mafia** have used their economic power over local businesses and banks and their supplies of cash to corrupt politicians, judges and Law enforcement machineries, assassinating many of those public figures who do not cooperate.

As people feel that the government is powerless to stop OC, they turn to crime leaders for protection and political institutions begin to deteriorate.

D) IMPACT ON SECURITY

National security basically revolves around those threats that challenge the independence, sovereignty, integrity and effective functioning of a nation state and its society.

Today we are faced with a new concept of security which requires a holistic approach to public security in order to protect individuals and communities from violence.

- **Cyberspace:** The development of **cyberspace** has not only transformed the capacity to engage in a variety of cross-border transactions but also altered the relationship between territory and security. Cyberspace has no frontiers.
- **Transnational character:** criminal organizations, particularly those engaged in cross border illicit drugs and arms trade, pose threats to national security especially in terms of political and economic stability.
 - In the international politics, nation-states are separated by frontiers and borders, whereas TOCs are not concerned with sovereignty or national jurisdiction, territories, borders or frontiers, but more on the flow of people, goods and contrabands which provide earnings to them. In this regard, national security is being threatened by TOCs.
- **Spreading corruption:** Corruption among state officials and judicial members such as judges and lawyers would definitely weaken the state politically, economically and socially and these would severely threaten the national security because it affects the effective functioning of the society in that state.
- **OC-terrorism nexus:** Several major Indian cities, including New Delhi, Ahmedabad, Coimbatore, and Pune among others, have witnessed terrorist attacks, such as parliament attack(2001), Delhi high court blast, Akshardham blast in Gujarat (2002), but the Indian city of Mumbai (formerly Bombay) has been 'ground zero' to the deadliest attacks over the past three or more decades, 1993 Bombay blast, 2006 train blast and the deadliest one is 26/11 in 2008.

All these attacks cannot possible be without the operational and logistical support provided by organized criminal gangs.

Crime families and Mafias

This act of violence by OC groups directed against the state can be more destabilizing than the activities of revolutionary groups in that state.

1. The Mafia in Italy for example, regularly killed magistrates, policemen, politicians, civil servants and trade unionists throughout the 1980s. Mafia in Sicily (Italy), had killed Giovanni Falcone, (the Judge who fought a relentless war against the Italian mafia).
2. In Colombia, OC groups spend large sums of money to finance electoral campaigns at the local and national levels. Carlos Lehder, a major drug lord, even organized a political party, the Latin Nationalist Movement.

Problems in Control Efforts

1. **Inadequate Legal Structure**
 - India does not have a sufficiency special law to control/suppress organized crime.
 - Being a continuing conspiracy, the incidents of organized crime are dealt with under the general conspiracy laws and Acts. The existing law is inadequate as it targets individuals and not the criminal groups or criminal enterprises.
2. **Difficulties in Obtaining Proof**
 - As organized criminal groups are structured in a hierarchical manner, the higher echelons of leadership are insulated from law enforcement.

- It may be possible to have the actual perpetrators of crime convicted, but it is difficult to go beyond them in the hierarchy because of rules of evidence, particularly, non-admissibility of confessions made by criminals before the police.
 - The witnesses are not willing to depose for fear of their lives and there is not enough strong law to provide protection to the witnesses against organized gangs.
3. **Lack of Resources & Training**
- In our Constitutional frame-work, the police are the State's subject. Investigation of cases, their prosecution and the setting up of the criminal courts is the responsibility of the State Government concerned.
 - Most of the States face a resources crunch and are not in the position to spare adequate resources for the criminal justice system agencies. The number of police personnel posted in police stations is inadequate and overburdened with other police duties such as festive processions, political rallies, etc.
 - Besides, there is lack of specialized training facilities exist for the investigation of organized crime.
4. **Lack of Co-ordination**
- India does not have a national level agency to co-ordinate the efforts of the State/city police organizations as well as central enforcement agencies, for combating organized crime.
 - Further, there is no agency to collect, collate, analyses, document and function as a central exchange of information relating to international and inter-state gangs operating in India and abroad.
 - Apart from lack of institutional frame-work, there are problems of coordination between the Central and state Government bodies or between States bodies, may be due to differences in political perceptions.
5. **Cybercrime**
- As cybercrime is transnational in character, inconsistency of laws and regulations across country borders make it especially difficult for countries to cooperate when investigating cybercrime.
 - The scale of cybercrime makes it critical for governments to have a robust cyber security ecosystem in place to reduce threats and enhance confidence in using electronic communications and services.
 - There is still an evident gap between countries of the region in terms of awareness, understanding, knowledge and finally capacity to deploy the proper strategies, capabilities and programmes to ensure a safe and appropriate use of ICTs as enablers for economic development.
 - There is no harmonized domestic law to tackle the challenge of cyber crimes
6. **Criminal, Political & Bureaucratic Nexus**
- There has been a rapid spread and growth of criminal gangs, armed Senas, drug mafias, smuggling gangs, drug peddlers and economic lobbyists.
 - Over the years, an extensive network of contacts between the bureaucrats, government functionaries, politicians, media persons and democratically elected is developed. Some of these syndicates also have international linkages, including with the foreign intelligence agencies.

- There are cases of involvement of the law enforcement agencies as well as the political executive with the organized criminal gangs, because of which all efforts of the police and other agencies who are genuinely trying to neutralize the gangs get nullified.
- In certain States like Bihar, Haryana and Uttar Pradesh, these gangs enjoy the patronage of local level politicians cutting across party lines.

7. Dual Criminality

- The crime syndicates do not respect national boundaries. Certain crimes, particularly drug trafficking, are planned in one part of the world and executed in another.
- Criminals also move fast from one part of the globe to another. Different nations have different legal structures.

8. Environmental crime:

- With regard to wildlife, forest and fisheries crime. E.g. illegal Ivory trade, Sandalwood smuggling, animal skin trade, etc.
- Governments lack the capacity to investigate, prosecute and adjudicate crimes against protected species of wild flora and fauna, complementing other international legal frameworks dealing with environmental protection.

Combating Transnational Organised Crime: UNODC at the Forefront (Mostly South Asia centric)

1. Undertaking a Transnational Organized Crime Threat Assessment (TOCTA):

- Outline the main transnational organized crimes, their scale, trends and underlying mechanisms (i.e., who, how, what, where, when) impacting Bangladesh, Bhutan, India, Nepal, Maldives and Sri Lanka.
- Identify key knowledge, data and resource gaps that preclude the detection and monitoring of various illegal markets impacting the South Asia region.
- Formulate recommendations to enhance the quality, accuracy, reliability, representation, timeliness and quantity of data collected to augment the capacity of South Asian countries to detect, monitor and prevent transnational organized crimes.

2. Strengthening Criminal Intelligence Sharing:

UNODC aims to reinvigorate the initiative to develop the **South Asian Regional (Criminal) Intelligence and Coordination Centre on Transnational Organized Crime (SARICC-TOC)**, which is aimed to establish a mechanism for regional information sharing and coordination, following previously established models and best practices of UNODC.

3. WCO Container Control Programme (CCP) and CCP Air Cargo Programme:

- The CCP, a joint initiative of UNODC and the World Customs Organization (WCO) will set up additional Port Control Units (PCUs) and Air Cargo Control Units (ACCU) in South Asia and continue building strategic alliances between Customs, police, trade and other relevant bodies to prevent criminal organizations from abusing legitimate commercial trade.
- Containers form an integral part of the international trade supply chain. Therefore, there is an urgent need to minimize the risk of containers being exploited and used for illicit drug trafficking, transnational organized crime and other forms of black-market activity.

- Both global initiatives the UNODC-WCO Container Control Programme and the CCP Air Cargo Programme Assist Governments to establish sustainable enforcement structures in selected sea ports, (container) dry ports and airports by creating specialized trained Units.
- At the global level, the CCP supports enhanced collection, standardization and reporting of data on container crime for use in strategic analysis and information-sharing.
- Results of the CCP 'Fishnet' initiative, implemented in 2017 in the region and focussing on the fight against transnational crime in illegal fishing, document fraud, drug trafficking and money laundering.

4. Global Firearms Programme (GFP)

- The illicit trafficking and misuse of firearms is intrinsically linked to criminal organizations and networks: as facilitators of violent crimes, as tools to perpetrate power, and as lucrative trafficking commodities, that fuels armed conflicts, crime and insecurity.
- UNODC GFP provides support to Member States, upon request, for legislative development, for strengthening the criminal justice systems to detect, investigate and prosecute firearms offences, facilitates international cooperation and information exchanges, and provides technical support for implementation of preventive and control measures related to marking, record-keeping, seizure, collection and disposal of firearms.
- In 2016-2017 the Global Firearms Programme received several requests for assistance from countries in Asia to support activities at national and regional levels. India requested assistance to address the problem of floating armouries on high sea. Sri Lanka approached UNODC and requested support for the accession to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Firearms Protocol).

Floating armouries are sea vessels used to store military grade weapons. Services that supply weapons on the high seas, often referred to as *floating armouries*. These armouries provide transfer services to private maritime security companies the controlled weapons are available in international waters, but never enter patrolled territorial waters—they are delivered by an armoury to a client's vessel, and returned, in international waters.

5. Maritime Crime Programme

- South Asia is surrounded by the Indian Ocean, the world's third largest body of water which covers about one fifth of the world's total ocean area, providing critical sea routes that connect the Middle East, Africa and South Asia with the Asian continent to the east and Europe to the west.
- Acts of piracy in the region threaten maritime security by endangering, in particular, the welfare of seafarers and the security of navigation and commerce. These criminal acts may result in the loss of life, physical harm or hostage-taking of seafarers, significant disruptions to commerce and navigation, financial losses to ship owners, increased insurance premiums and security costs, increased costs to consumers and producers, and damage to the marine environment.
- The opening of a programme office in Sri Lanka in 2017 under the Global Maritime Crime Programme (GMCP), opened new vistas for programming in South Asia. Further expansion of

the maritime crime programme in Sri Lanka from 2018 would be instrumental in widening South Asia responses to countering maritime crime.

- The MCP in Sri Lanka will be a catalyst to expand the maritime crime programme activities, especially for strengthening the responses of the marine police, island security and detection capabilities in countries of the region. Counter-piracy initiatives will be undertaken in close consultation with the UNODC anti-piracy programme based in Kenya.
- The South Asian countries vulnerable to piracy, in particular the Maldives and Sri Lanka, can be provided with legal advice for drafting/improving maritime laws and technical assistance for confronting the challenges of piracy.

The trafficking of Afghan opiates along the "Southern Route" from the Makran Coast to the East African coast and South Asia has increased significantly. The key attraction of the southern route for narcotics trafficking is the lack of enforcement capacity on the high seas.

6. Border management

- Under the regional framework of UNODC, border control mechanisms will be strengthened to address and counter illicit trafficking including human trafficking and drug trafficking at the borders of India, Bangladesh, Bhutan and Nepal.
- UNODC seeks to assist countries in strengthening individual capacities and regional and inter-regional cooperation in border management and information exchange by using alert mechanisms and, where possible, regional intelligence and information sharing through SARICC-TOC. UNODC's positive experience gained in recent years in **South East Asia of Border Liaison Offices (BLOs)** will also be extended to South Asia with the creation of a BLO mechanism at the border of Bangladesh and Myanmar. This will be done closely in cooperation with the UNODC Regional Office for Southeast Asia.

7. Cybercrime

- According to the Cyber Security Index (2017) of the International Telecommunication Union (ITU): -
 - a) Bhutan, Nepal and Maldives are in the '**initiating stage**' wherein they have started to make commitments to cyber security.
 - b) Bangladesh, India and Sri Lanka are in the '**maturing stage**' and have developed complex commitments and engage in cyber security programmes and initiatives.
- **Special areas of focus** revolve around promoting cyber safety amongst women, children and youth, preventing online sexual exploitation, darknet market awareness and countering the misuse of cryptocurrencies.
- The Regional Office for South Asia of UNODC aims to capitalize on the rich technical expertise available in India as well as the global knowledge products and international best practices developed and supported by UNODC during 2017 and beyond.
- The expertise and knowledge base of UNODC with respect to cybercrime will focus on ensuring sustainable and long-term capacity building, conducting needs analysis within the region, identifying key national priorities for action, assisting Member States in legislative drafting and adoption of adequate legislation based on their specific demands; building

operational and institutional capacity of law enforcement and judicial bodies; mobilizing and raising awareness among communities and civil society. The primary partner institutions would be the police and criminal justice agencies from the region.

8. **Wildlife, forest and fisheries crime (WLFC)**

- Strengthening activities under SAWEN (South Asia Wildlife Enforcement Network) is being explored.
- UNODC global programme for WLFC will also deliver a series of regional workshops in cooperation with the US Department of Justice for prosecutors and investigators on effective tools to increase investigative capacity and strengthen regional cooperation.
- With respect to fisheries crime, targeted activities will be implemented in Sri Lanka and possibly the Maldives in 2018-2019.

9. **Anti-money laundering and countering the financing of terrorism**

Combating terrorist financing is emerging as an extremely important area globally and in particular for developing countries of South Asia.

- UNODC assists Member States in a variety of ways to develop sound anti-money laundering and countering of terrorism financing (AML/CFT) regimes. This includes developing or strengthening legislation to criminalize the laundering of the proceeds of crime and to comply with other FATF standards, training of officials, and increasing the ability to identify and interdict cross-border transportation of illegal cash or other negotiable instruments.
- All South Asia countries have established financial intelligence units (FIUs), improving their capacities and strengthening of regional cooperation and coordination remains a leading concern.

The United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 2000, is the main international instrument in the fight against transnational organized crime.

- It's a legally binding convention.
- India is a member.

The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime:

- the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- the Protocol against the Smuggling of Migrants by Land, Sea and Air; and
- the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.
- Countries must become parties to the Convention itself before they can become parties to any of the Protocols.
- The Convention represents a major step forward in the fight against transnational organized crime and signifies the recognition by Member States of the seriousness of the problems posed by it, as

well as the need to foster and enhance close international cooperation in order to tackle those problems.

- States that ratify this instrument commit themselves to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group, money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.

UNODC's Response to Strengthening Systems

- **UNODC promotes effective responses** to transnational organized crime and illicit trafficking in South Asia by facilitating the implementation of the relevant United Nations conventions at normative and operational levels.
- **Most Member States in the region are parties to the main international instruments on organized crime and illicit trafficking but lack the capacity** of its meaningful implementation.
- **UNODC intends to support Member States** in enhancing the capacities of their law enforcement entities to better prevent and address transnational organized crime and illicit trafficking of persons, counterfeits and goods.
- **UNODC seeks to foster good governance**, robust criminal justice systems, security sector reform and, indirectly, socio-economic development through strengthening capacity to confront and defeat transnational organized crime.
- **Initiatives** include support for the proper collection and analysis of criminal intelligence, including new modalities of international cooperation; and provide a range of tools and resources to assist Member States in their efforts to prevent and combat organized crime, helping relevant officials to more effectively and efficiently do their work, with better understanding of the issues in light of international good practice and applicable human rights standards.

Legal Position in India On Organized Crime

1. **Section 120-B of the India Penal Code** provides for punishment for criminal conspiracy. Whoever is a party to a criminal conspiracy other than a criminal conspiracy to commit an offence punishable as aforesaid shall be punished with imprisonment of either description for a term not exceeding six months, or with fine or with both.
2. **Dacoity and Related Offences:**
 - Dacoity is punishable with imprisonment for life or rigorous imprisonment up to 10 years and five months (**section 395**).
 - Its subdivisions are:
 - criminalists preparation to commit dacoity (**section 399**)
 - Assembly for the purpose of committing dacoity (**section 402**).
 - **Section 400** of the Code criminalizes the act of belonging to a 'gang' of persons associated for the purpose of habitually committing dacoities.

- Kidnapping for ransom, the Parliament inserted **Section 364-A (1993)** in the India Penal.

3. Gangsters:

- There is **no central legislation to suppress ‘gang activity’** having countrywide applicability.
- The State of Uttar Pradesh, most populous and politically most powerful in enacted **Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986**, which is applicable in that State only. An Act to make special provisions for the prevention of, and for coping with, gangsters and anti-social activities.

What are the national level preventive actions taken in India?

There are two major preventive Acts:

1. The National Security Act 1980:

- The National Security Act 1980 provides for **preventive detention** by the Central Government or the State Government or by the officers designated by this Government.
- The detention order is issued for one year with a view to **preventing a person from acting in any manner prejudicial to the defense of India or to the friendly relations with foreign powers.**
- The expression ‘security of India’ is open to liberal interpretation and this Act has been used, though sparingly, against **anti-national elements and hard-core gangsters.**
- Detention is an **executive action and the case does not go to the court for trial.**

2. The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988:

- The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act 1988 provides for **detention of persons related with Illicit Traffic in Narcotic Drugs and Psychotropic Substances.**
- The Central Government or the State Government or designated officers of these Government, can pass an order for detaining a person with a view to **preventing him from engaging in illicit traffic in narcotic drugs.**

What has been proposed for Uttar Pradesh Control of Organized Crimes Act (UPCOCA)?

- The Uttar Pradesh government recently approved a draft of a UPCOCA bill which was on the lines of the Maharashtra Control of Organized Crime Act (MCOCA).
- It has been brought to **check and curb acts of organized crime and mafia.**
- The cloud of crimes includes **land grabs, illegal mining, sale of illegal medicine and illicit liquor, wildlife smuggling, extortion, abduction syndicates as well as white-collared criminals.**

Way Forward: Few solutions against organized crime in India

1. **Clearly identification of crime:** The initial requirement is to define and identify organized crime and the organized criminals without which we would be fighting faceless, nameless and invisible enemy.
2. **Segregation of the criminals:** The first step in combating organized crime has to be the creation of a system of segregating it from the other normal crimes and segregating the organized criminals from the normal traditional criminals. In order to do this a law is required to define an organized criminal gang, and the members of such gangs.

3. **Political Will:** If there is political will to root out organized crime and the authorities at the helm of affairs are genuinely keen to do so, a multi-pronged assault will have to be made on the existing criminal empire that has grown in India.
4. **Listing of all Govt. functionaries** in the enforcement who are known or suspected to have links with the underworld and transferring them to ineffective posts and instituting enquiries to establish their guilt.
5. **Listing of all gang bosses:** Detailed and sustained interrogation of all such persons in the list including raids to trace out their links and assets. The basis for their interrogation will have to be found or created by linking them with some offence or on disproportionate assets.
6. Each of the actions will require **a team of honest, capable and dedicated officers** who would not be subverted by any threat or bribe.
 - They should be given as much motivating benefits and protection as possible for the simple reason that they would be performing a very difficult.
 - The team need not be large, in fact the more compact it is the better.
 - It may be made up of just about half a dozen officers from the Revenue, Police and Audit with a few supporting staff of subordinates to assist in the laborious work of audit of accounts and correspondence.
 - **Well planned raids** and searches are bound to produce results and provide a lever for conducting interrogations.
7. **Seizure of all property** known or suspected to be acquired through crime. Detailed and thorough enquiry into the explanation given about the source of wealth. The assets of the gangster and the assets of their close relatives and colleagues should be investigated and explanations sought as to the source through which such wealth was acquired. **The benami property act, 1988 is good step in right direction.**
8. **Controlled audit:** The budgeted amount should only be spent on the operations against organized gangs and not diverted to any other cause. These funds should not be subjected to normal audit but subjected to internal departmental monitoring like the expenditure by defense services in the operational areas.
9. **Rewards to apprehend absconding gangsters.** Informers who lead to their arrest should be properly rewarded and their identities protected. The STF should hunt out the absconders Using all means at their command and arrest them or eliminate them if they resist arrest.
10. The tenure of an officer in the STF should not exceed 2 years as such sustained pressure cannot be borne by a person for more than this period without loss of efficiency. There should be a six-monthly evaluation of the results of each STF team and a weekly feedback session to ascertain the progress made during the week.
11. **Training:** The SIT personnel should be put through a rigorous training programme specially in investigation and use of gadgets like radio sets, telephone tapping etc. They should be trained in shadowing persons and in the use of a variety of weapons. The selection of persons for the STF should be done on the basis of high IQ, physical fitness and integrity. They should be people with a sense of adventure and not be timid. The police officers should play a role in the investigation of assets and wealth of the gangsters also and not leave entirely to the audit people.
12. Free insurance to all STF staff to be paid by the Govt. The quantum of Insurance be rank wise.
13. **Neutralizing the Abettors:** These include corrupt police, revenue, customs and excise personnel and those professionals like, lawyers, chartered accountants, doctors, businessmen, politicians, house owners, cell phone companies and others. All such persons have to be identified.

14. Improving jail administration:

- The jails will require special attention as the jails have been converted by the gangsters into rest houses and safe havens and in some cases have even become their headquarters from where they plan and execute their crimes.
- **Special High Security jails in each state when the arrested gangsters can be kept under close watch and the capacity of accommodation in these jails may not exceed 100 and will not be a big burden on the states.**
- **The staff to man these jails will, of course, have to be handpicked and their work monitored.**

15. Record keeping: A compilation of the records of bails granted and acquittals of gangsters on flimsy grounds, hails despite representation by the prosecution, the names of the lawyers who defended them and the names of the judges who presided is likely to be quite revealing.

16. A small but effective audit wing will have to be created to investigate the vast properties both moveable and immovable possessed by the gang members. their relatives and agents.

Best practice: Estonia.**History of OC in Estonia**

- ❖ Organised crime spread to Estonia during the subsequent years of perestroika, which significantly increased business opportunities and liberalised the political regime. In the late 1980s, the first private entrepreneurial ventures were set up.
- ❖ The first 'failed' entrepreneurs were followed by rather well organised and economically oriented crime groups. Perestroika in Estonia, the calls for independence in the Baltic Republics and the better living conditions attracted Russian organised criminal groups to Estonia. With them, illegal gambling and racketeering proliferated.
- ❖ The most significant change in the expansion of organised crime in Estonia was the independence in 1991 and the subsequent commitment to introduce market economy. Estonian organised crime groups were said to start extensive smuggling in precious metals from Russia through Estonia to the West, a phenomenon often labelled as the "Metal Age".
- ❖ Gradually, most organised crime groups shifted to more profitable forms of illegal business, such as different forms of economic crime, tax evasion, and drug smuggling (Markina 1998, 47-48; Rawlinson 2001, 9-13 and University of Exeter 2001).

Organised Crime (prevention) policy

- ❖ Estonia is among the pioneers in Central and Eastern Europe in crime prevention and in the development of a National Crime Prevention Council (Joutsen, 1998, 4).
- ❖ Recently, a Strategy for Crime Prevention until the year 2005 (Ministry for Justice Estonia 2002) has been issued focusing on various aspects: more efficient inclusion of the public in crime prevention, more efficient protection of property, increased safety on streets and public places, decrease in criminal offence and crimes committed by young people, better availability of victim assistance and prevention of repeated crimes.

- ❖ Next to this, the prevention of organised crime is promoted actively in relation to various Estonian anti-corruption initiatives (Raig 2001), which have been supported and evaluated by the Council of Europe (Joutsen 1998, 5-6 and Greco 2001).

Examples of Preventive Legislative Measures Taken

1. Criminal record database and trade bans

The Estonian Penal Code of 6 June 2001 provides for an ‘occupational ban’ as a supplementary punishment for criminal offences imposed on natural persons.

- These convictions are kept in the criminal records database (Punishment Register Act of 19 November 1997) and accessible to a variety of persons and institutions, including government agencies, employers and notaries for the verification of the data concerning a person applying for an official act (§ 17) (Vermeulen et al. 2002, 61-88).
- It is clear that, although currently not used explicitly for that purpose, this system can be used for the prevention of organised crime by excluding convicted criminals from participation in the legal economy such as the disqualification from public tenders (Public Procurement Act of 19 October 2000).
- Other databases such as the tax administration database (ATOS) containing information on criminal activities of natural and legal persons could also be used for that purpose.

2. Licences and permits

- Estonian legislation provides that some types of business activities can only be exercised if explicitly licensed or permitted by the competent authorities.
- According to the Estonian Police, this system can be used to prevent organised criminals to get into the legal business by refusing them a licence or permit.

Although such a system is considered to be effective, it sometimes lacks a specific legal basis. Until today, administrative authorities’ decisions denying a permit or licence have all been accepted and have not been challenged in court. It is however suggested to provide for more explicit legislation allowing for this kind of disruption of potential organised crime.

Conclusion:

There is no single uniform approach to the prevention of organised crime. Different societies have different appetites for social and entrepreneurial risk, and in the real world, they also have different levels of reliance on the integrity of their public institutions. Countries in transition may be in need of some greater efforts at organised crime prevention to deal with economic and organised crime more effectively than through classical criminal justice crime repression alone

Organized crime today affects all States, whether as countries of supply, transit or demand. As criminal networks span the globe, efforts to combat them must likewise cross borders so as to ensure that organized crime networks do not simply divert their activities to countries or regions where weak cooperation means weak criminal justice responses.

UNODC promotes effective responses to transnational organized crime and illicit trafficking in South Asia by facilitating the implementation of the relevant United Nations conventions at normative and operational levels.

International cooperation in criminal matters for **mutual legal assistance (MLA), extradition and confiscation of proceeds of crime** is an important tool for prosecutions for all types of organized and serious crime when effectively and efficiently undertaken. UNODC provides technical assistance in this area, including through the establishment of regional networks aimed at supporting more effective prosecutions, each tailored to the specific needs of the region

India is attempting to address the challenge of counterfeit currencies through demonetization. Through a combination of policing and prosecution, the underworld's links with crime and terrorism in Mumbai have been curbed to a large extent, although the close links that exist between the groups may not be eliminated in its entirety.

The Indian state has been successful in curbing terrorism in Punjab. However, tensions continue to simmer in J&K and in the Northeast states bordering Myanmar and Bangladesh. Indian has tackled the challenge of the crime-terror nexus by using military force, counter insurgency (COIN) operations, legal mechanisms, cooperation with national NGOs like National Crime Research Bureau (NCRB), and international organizations such as Interpol, Financial Action Task Force (FATF), UNSC, UNODC among others.

9. CYBER SECURITY

<p>CONTENTS:</p> <ul style="list-style-type: none"> ● Introduction and Concepts ● Cyber security-basics and Various cyber threats ● Global cyber threats and International cooperation ● Need for cybersecurity in India ● Recent Cybersecurity challenges and threats to India ● Impact and Challenges of cyber threats ● Role of social media in cybersecurity ● Steps taken by the government ● Miscellaneous topics ● Way forward 	<p>SYLLABUS- GS3- Internal Security</p>
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What is cyber security?

- Cyber Security is the security of information and its communication channels as applied to computing devices such as computers and smartphones, as well as computer networks such as private and public networks, including the Internet as a whole.
- Cyber security or information technology security are the techniques of protecting computers, networks, programs and data from unauthorized access or attacks.
- It means securing the cyberspace from attack, damage, misuse and economic espionage.

What are the various elements of cyber security?

- **Application Security:** Use of software or hardware to protect applications from external threats. For example, Anti-virus software.
- **Information Security:** Set of strategies for managing the processes, tools and policies for securing digital information, for example, Data encryption software and tools.
- **Network Security:** Protecting networks against internal and external threats. For example. Windows Firewall in computers protect external threats from entering the computer.
- **Disaster recovery plan:** Structured plan which guides the response to unplanned incidents; It enables an organisation to resume critical functions. For example, IBM 's cloud for disaster recovery.
- **Operational Security:** Analytical processes that classifies information assets and determines controls required to protect these assets. For example, Captcha code.
- **End user education:** Policies to guide users for secure use of an organisation's systems. For example, Google's digital literacy campaign.

What is Cyberspace?

- Internet is a system of inter-connected devices using standardized communication protocols. Cyberspace is a connected internet ecosystem. Interconnectedness of the cyberspace, multiple entry points to the internet and dependency of critical infrastructure on the cyberspace makes it vulnerable to cyber threats.
- Cyberspace is a global domain within the information environment consisting of the interdependent network of information technology infrastructures, including the Internet, telecommunications networks, computer systems, and embedded processors and controllers.
- It is a complex environment consisting of interactions between people, software and services, supported by worldwide distribution of information and communication technology devices and networks.

What is Cyberthreat?

As per the American political scientist Joseph Nye, there are four primary threats to cyberspace. It includes:

<p>1. Cyber Espionage</p>	<ul style="list-style-type: none"> • The use of computer networks to gain illegal access to confidential information, typically that is held by a government or other organization is called cyber espionage. • It is the act of obtaining secret information without the permission of the holder of the information (personal, sensitive, proprietary or of classified nature), it is obtained from individuals, competitors, rivals, groups, governments and enemies for personal, economic, political or military advantage using methods on the Internet, networks or individual computers through the use of cracking techniques and malicious software including Trojan horses and spyware. • For instance, in Operation ShadyRAT, the hackers had access to seventy government and private agencies around the world, details about it was released in 2011 by McAfee, some allege that it was done by Chinese hackers.
<p>2. Cyber Crime/ attack</p>	<ul style="list-style-type: none"> • Cyber-attack/Cyber Crime is “any type of offensive manoeuvre employed by individuals or whole organizations that targets computer information systems, infrastructures, computer networks with an intention to damage or destroy targeted computer network or system.” • For example, hacking of system and stealing private data of the user, for example 32 lakh SBI ATM cards got hacked which is one of the largest cybersecurity breaches in India’s banking system.

3. Cyber Terrorism	<ul style="list-style-type: none"> • Cyber terrorism is the convergence of terrorism and cyber space. • Politically motivated use of computers and IT to cause severe disruption or widespread fear in society is called as cyber terrorism. • It includes activities such as websites spreading extremist propaganda, recruiting terrorists, promoting the propaganda of terrorists etc. • To qualify as cyber terrorism, an attack should result in violence against persons or property or at least cause enough harm to generate fear, Serious attacks against critical infrastructures could be acts of cyber terrorism depending upon their impact.
4. Cyber Warfare	<ul style="list-style-type: none"> • It includes the actions by a nation-state or its proxies to penetrate another nation's computers or networks for the purposes of espionage, causing damage or disruption. For instance, in 2010, Stuxnet, a malicious computer worm, was designed to attack industrial programmable logic controllers of the Iranian nuclear programme. • Also, in the wake of threats from 4th generation global cyberwarfare, countries can resort to such cyberwarfare practices against their rival countries which can disrupt network services and will compromise data of the users.

Why are countries preferring cyber-attacks?

The inherent nature of cyber-attacks makes them a preferable mode of attack. It includes the following:

- **Borderless and anonymous** -Cyber-attacks are borderless and anonymous. This makes it difficult to track down the source of a cyber-disruption and the identity of an attacker.
- **Multiple sources**- Cyber-attacks can be made from multiple sources many kilometres apart at the click of a mouse.
- **Fast changing and complex**-With the rapid pace of technology development, tools and forms of cyber-attacks are also evolving. This makes developing cyber-security products to cater to the present risks difficult.
- **Critical services**-The growing importance of cyberspace in critical applications, such as-health, education, finance etc has made the critical infrastructure vulnerable as well.
- **Less costly**-The low cost of committing and minimum setup cost makes cybercrime most preferred choice of attack.

Types of Cyber Attacks:

Virus	A computer virus is a program code that attaches itself to application program and when application program run it runs along with it. It typically has a detrimental effect, such as corrupting the system or destroying data.
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Spamming	These are unsolicited commercial email (UCE) sent to numerous addresses or newsgroups, which may fool a person to pay money or provide information to the wrongdoers.
Malware	It is a program that is inserted into a system, usually covertly, with the intent of compromising the confidentiality, integrity, or availability of the victim's data, applications, or operating system (OS) or otherwise annoying or disrupting the victim.
Denial of service (DoS)	A denial-of-service attack is a technology-driven attack that occurs when an attacker prevents legitimate users from accessing specific computer systems and networks. In other words, it is an attack that prevents or impairs the authorized use of information system resources or services. These attacks are used to overwhelm the targeted websites. Attacks are aimed at denying authorized person's access to a computer or computer network.
Distributed denial-of-service (DDoS)	It is a variant of the denial-of-service attack that uses a coordinated attack from a distributed system of computers rather than a single source. It often makes use of worms to spread to multiple computers that can then attack the target.
Logic bomb -	It is a computer program, which may perform some useful function, but which contain hidden code which, when activated, may destroy data, reformat a hard disk or randomly insert garbage into data files.
Spoofing	It is the ability to fool a biometric sensor into recognizing an illegitimate user as a legitimate user (verification) or into missing an identification of someone that is in the database.
Bluetooth hijacking	It is also called "Bluejacking" is an attack conducted on Bluetooth-enabled mobile devices, such as cellular telephones, smart phones, and PDAs. Here the private information is stolen from some other device through Bluetooth without the knowledge of the owner of the device.
Browser hijacking-	It is the unintended modification of a web browser's settings by a malware. The term "hijacking" is used as the changes are performed without the user's permission. Some browser hijacking can be easily reversed, while other instances may be difficult to reverse. Various software packages exist to prevent such modification.

E-Mail Related Crime-	<p>Usually worms and viruses have to attach themselves to a host programme to be injected. Certain emails are used as host by viruses and worms. E-mails are also used for spreading misinformation, threats and defamatory stuff. Cyber criminals are using innovative social engineering techniques through spam, phishing and social networking sites to steal sensitive user information to conduct various crimes, ranging from abuse to financial frauds to cyber espionage.</p> <p>E.g. Nigerian email asking bank account to transfer lots of money. Tempting emails of user winning lottery or in some luck draw have been few famous tricks.</p>
Spyware	<p>These are those technologies deployed without appropriate user consent and/or implemented in ways that send away the information about user activity without his/her acknowledgement.</p>
Botnet	<ul style="list-style-type: none"> • A botnet (a contraction of the term "RoBOTNETwork") is a collection of Internet-connected programs communicating with other similar programs in order to perform tasks. E.g. distribute malware, spam, and phishing scams etc. • Botnets are a number of internet-connected devices, with each one running its own bots. They are used to perform DoS attacks, steal data, send spam mails etc. • Network of compromised computers that are remotely controlled by malicious agents. They are used to send massive quantities of spam email messages, coordinate distributed denial-of-service attacks (DDOS).
Identity theft	<p>Obtaining and unlawfully possessing identity information of someone with the intent to use the information deceptively, dishonestly or fraudulently in the commission of a crime.</p>
Phishing	<ul style="list-style-type: none"> • It is a cybercrime in which targets are lured by mails to provide sensitive information (personal information, bank details etc) by someone posing as a legitimate website. • It refers to a social engineering attack, where someone misrepresents their identity or authority in order to induce another person to provide personally identifiable information (PII) over the Internet.
Hacking	<p>The most popular method used by a terrorist. It is a generic term used for any kind of unauthorized access to a computer or a network of computers. Some ingredient technologies like packet sniffing tempest attack, password cracking and buffer overflow facilitates hacking, Identity theft.</p>

Trojans	<ul style="list-style-type: none"> • Programmes which pretend to do one thing while actually they are meant for doing something different. A Trojan horse or Trojan is a type of malware that is often disguised as legitimate software. Trojans can be employed by cyber-thieves and hackers trying to gain access to users' systems. • Examples of Trojans include the Swiss MiniPanzer and MegaPanzer and the German "state Trojan" nicknamed R2D2.
SQL injection-	It is a way to cause database commands to be executed on a remote server. Such command execution can cause information leakage.
Root kit	It is a set of tools used by an attacker after gaining root-level access to a host to conceal the attacker's activities on the host and permit the attacker to maintain root-level access to the host through covert means.
Keyboard logging-	It is a software that captures and "logs" every keystroke typed on a particular keyboard.
Email address harvesting-	By obtaining an electronic mail address using an automated means from an Internet website or proprietary online service operated by another person.
Pharming	It is a method used by phishers to deceive users into believing that they are communicating with a legitimate Web site. Pharming uses a variety of technical methods to redirect a user to a fraudulent or spoofed Web site when the user types a legitimate Web address.
Sniffer	It is also called a packet sniffer which is a software tool for auditing and identifying network traffic packets.
Miscellaneous	<ul style="list-style-type: none"> • Macrovirus –is a program or code segment (can be called a Virus) written in the application's internal macro language. • Smart-card hijacking- Exploit tools-publicly available and sophisticated tools that intruders of various skill levels can use to determine vulnerabilities and gain access into targeted systems. • Cross-Site Scripting (XSS): Similar to an SQL injection attack, this attack also involves injecting malicious code into a website, but in this case the website itself is not being attacked. Instead the malicious code the attacker has injected, only runs in the user's browser when they visit the attacked website, and it goes after the visitor directly, not the website. • Social engineering is an attack that relies on human interaction to trick users into breaking security procedures in order to gain sensitive information that is typically protected.

RECENT CYBER ATTACKS IN INDIA

<i>YEAR</i>	<i>INCIDENT</i>	<i>REPERCUSSIONS</i>
September 2016	Mirai Botnet	Mirai is malware that infects smart devices that run on ARC processors, turning them into a network of remotely controlled bots or zombies which is called a botnet, is often used to launch Distributed Denial of Service (DDoS) attacks.
May 2017	Wannacry Ransomware	Ransom of money was asked when the computer was locked without the owner's permission and in return for providing access of data back to the owner of the device, once the money transfer is done. The top 5 cities impacted by the ransomware attack were: Kolkata, Delhi, Bhubaneswar, Pune, Mumbai.
June 2017	PETYA ransomware	Similar ransom was asked in return for access of data which was locked by the hackers. Container handling functions at a terminal operated by the Danish firm AP Moller-Maersk at Mumbai's Jawaharlal Nehru Port Trust got affected.
July 2019	Agent Smith malware	Agent Smith malware infected 15 million android devices in India. It was disguised as Google-related app.
August 2019	RootAyyildiz Turkish Hacker	The official website of the Bihar Education Department was hacked and "RootAyyildiz Turkish Hacker" claimed responsibility for posting messages praising Pakistan.

NEED FOR CYBERSECURITY IN INDIA:

The need for cybersecurity is all the more important for India due to the following reasons:

Security Aspect:	<ul style="list-style-type: none"> • Cyberspace has emerged as the 5th arena of war (after land, air, water and space). Further, Cyberspace has also allowed the terrorist groups to stay anonymous and propagate their nefarious activities (for example-propagating anti-state propaganda by radicalising the public). • Thus, secured cyberspace is an integral part of strategic and national security. Cyber threats are anonymous and borderless. Thus, it makes the tracking of criminals difficult and cybersecurity a national security issue.
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Rise of IT:	<ul style="list-style-type: none"> • Over the years, Information Technology has transformed the global economy and connected people and markets in ways beyond imagination. • With the IT gaining the centre stage, nations across the world are experimenting with innovative ideas for economic development and inclusive growth. • An increasing proportion of the world's population is migrating to cyberspace to communicate, enjoy, learn, and conduct commerce. • It has also created new vulnerabilities and opportunities for disruption. • The cyber security threats come from a wide variety of sources and causes disruptive activities that target individuals, businesses, national infrastructure and Governments alike.
Privacy of the users:	<p>As per the Kantar report, India's internet base has breached the 500 million mark. It is likely to reach 627 million by the end of 2019. This will generate huge volumes of data. Hence, there is a need to protect the data and privacy of data of millions of users.</p>
Increasing cybercrimes:	<ul style="list-style-type: none"> • As per a report by the internet solutions provider Symantec, India is the third most vulnerable country in the world in terms of cybersecurity threats. • As per CERT-IN, India experienced one cybercrime in every 10 minutes in the first half of 2019. Further, A National Crime Record Bureau report has also pointed out that cybercrimes reported in India rose by 19 times between 2005 to 2014 and as per the recent NCRB data cybercrimes rose by 77% from 2016 to 2017.
Digital Economy:	<ul style="list-style-type: none"> • India aims to be a digital economy. India also has the third largest ecosystem for technology-driven start-ups in the world. • Promotion of innovation and entrepreneurship through the start-ups and enabling services (e.g- Aadhaar, MyGov, Government eMarket, DigiLocker) through the cyberspace requires a secure cyberspace.
E-commerce boom:	<p>The Indian E-commerce market is expected to reach US\$ 200 billion by 2026. This increases the vulnerability of the consumers to online frauds (identity thefts, credit card frauds etc).</p>
Protecting the critical infrastructure:	<p>Critical infrastructure systems such as finance, defence, transport, telecommunication etc requires security of networks to function efficiently.</p>

<p>Lack of regulatory safeguards:</p>	<ul style="list-style-type: none"> • The NITI Aayog report has pointed out that the regulatory framework for cyber security is inadequate in India. • This has resulted in hacking and denial-of-service attacks which have led to disruption of services and security breaches in public and private organisations.
<p>Age of IoT:</p>	<ul style="list-style-type: none"> • As we move into the 4th Industrial Revolution, the rise of Internet of Things, artificial intelligence, machine learning etc would see a more connected environment. This would require the communication systems to be secure. • Proliferation of Internet of Things (IoT) and lack of proper security infrastructure in some devices can lead to violation of private data and privacy. • As Hewlett-Packard Enterprise (2014) uncovered, nearly 70 percent of all Internet of Things devices are vulnerable to external attacks, which simply outlines the need to build security into the device so as to reduce the chances of cyber misuse.
<p>According to the observations of International Telecommunications Union (ITU)-</p>	<ul style="list-style-type: none"> • The number of Internet users has doubled between 2005 and 2010 and surpasses 2 billion. Users are connecting through a range of devices from the personal computer (PC) to the mobile phone, and using the Internet for a variety of purposes from communication to e-commerce, to data storage for several services. • The rise in the Internet population has meant that while the threats and vulnerabilities inherent to the Internet and cyberspace might have remained more or less the same as before, the probability of disruption has grown apace with the rise in the number of users.

While such disruptions are yet to cause damage worldwide, they serve as a wake-up call to the authorities concerned to initiate measures to improve the security and stability of cyberspace in terms of their own security. Governments are constrained in their responses by pressures exerted by politico-military-national security actors at one end and economic-civil society actors at the other.

Vulnerability of India in cyberspace domain

- As per the report from Symantec corp, India ranks 3rd in terms of the highest number of internet users in the world after the US and China, the number has grown 6-fold between 2012-2017 with a compound annual growth rate of 44%.
- India secures a spot amongst the top10 spam sending countries in the world alongside the USA.
- India was ranked among the top five countries to be affected by cybercrime, according to a report by online security firm” SymantecCorp

Steps in cyber attacks

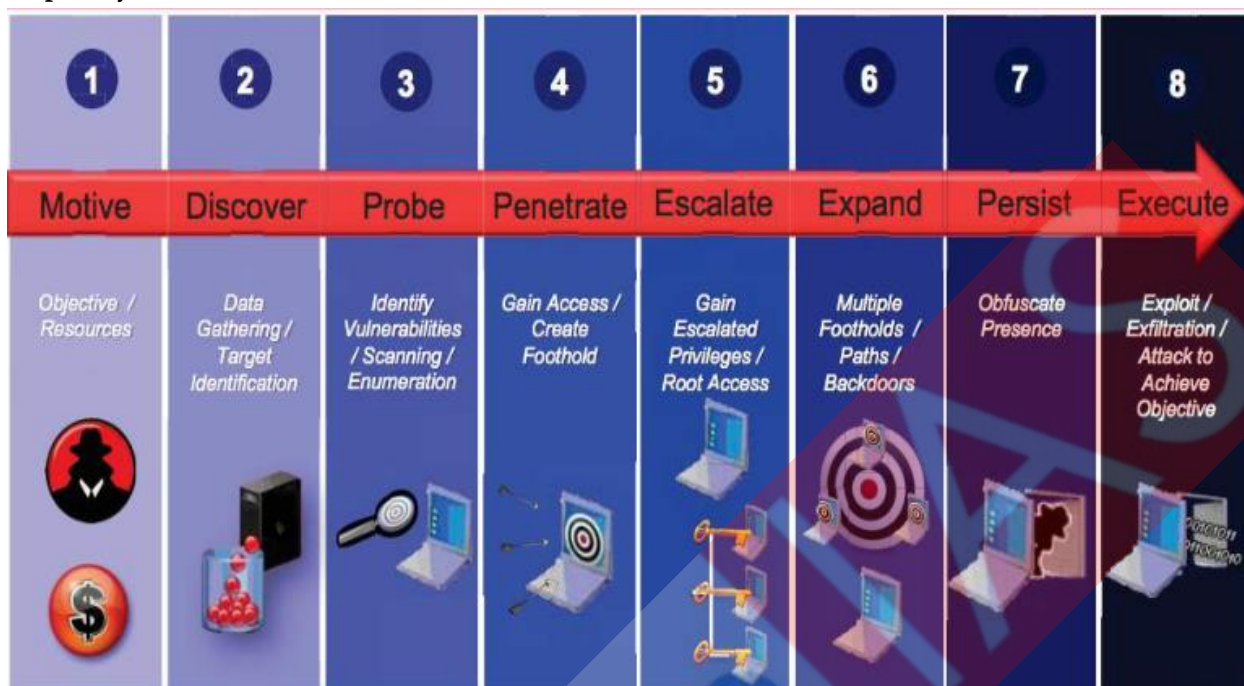


Figure: It shows the various steps undertaken in cyber attacks

Challenges to Cyber Security in India-

<p>Increased use/ penetration of mobile technology and internet</p>	<ul style="list-style-type: none"> • This happened especially after the spread of mobile internet and its deep penetration in urban areas where the internet became cheaper and more affordable and even reached the rural India where a large chunk of our population resides. • Internet usage in the country has exceeded half a billion people for the first time, now at 566 million, driven by rural internet growth and usage. • The ICUBE 2018 report that tracks digital adoption and usage trends in India, noted that the number of internet users in India has registered an annual growth of 18 percent and is estimated at 566 million as of December 2018, a 40 percent overall internet penetration. • Thus, greater penetration of internet reveals greater vulnerability in cybersecurity domain as large chunk of population is not aware about cybersecurity practices.
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<p>Lack of uniformity in devices used for internet access.</p>	<ul style="list-style-type: none"> • With varying income groups in India, not everyone can afford expensive phones. In the US, Apple has over 44% market share. However, in India the iPhones with their higher security norms are used by less than 1% of mobile users. • Thus, Indians mostly use such devices where security infrastructure is weak, they are easily susceptible to click on spam links because of being less digitally literate and aware.
<p>Modern attacks</p>	<ul style="list-style-type: none"> • It is generally seen that attack technology outpaces defence technology, Botnets, D-DOS attacks have become so sophisticated that they penetrate through the existing security architecture, thus breaching the layers of protection. • India cybersecurity is not something on which enough emphasis was paid as was necessary the same practice continues till date, even in commercial offices antivirus or such protection apps are considered to be unnecessary expenses. • This conception has to be removed from the minds of people healthy cyber practices have to be promoted.
<p>Legal and policy issue</p>	<ul style="list-style-type: none"> • National Cyber Security Policy has outlined the various principles to be followed in the cyber security ecosystem. However, it does not lay down a comprehensive broad framework. • A single IT Act is inadequate to deal with the different aspects of cyber security: Cyber Law, Cyber Security, Cyber Crimes etc. • The government's push for e-governance, the ever-expanding e-commerce sector and the booming social media platforms have generated large volumes of data of Indian citizens. • But India still lacks a comprehensive data protection law.
<p>Role of social media</p>	<p>Cybersecurity implication of social media</p> <ul style="list-style-type: none"> o Spread of misinformation -Social media can be misused to spread misinformation and riots between 2 segments of the society, it is seen that now-a-days social media was utilised to promote vendetta and initiate indoctrination in public and terrorist activities. Spread of propaganda, fake news and hate speech becomes very easy with social media which is a major concern for agencies dealing with cybersecurity around the world. o Terrorism- Many of the recent event shows that lone wolf terrorist events were perpetrators who were indoctrinated through social media. For example, Lone wolf attack happened in France o Misuse of data- In the Cambridge Analytica case, it was seen that the data of public were being misused and false opinion building practices were happening.

	o Lack of regulation - Regulation of data on social media is non
Lack of awareness	Cyber security in the public makes them more susceptible to the data misuse, frauds, hacking incidents on the internet where their data is used for purposes about which they have no prior information.
Lack of Cyber security specialists	<ul style="list-style-type: none"> • It is available in government which can avert any threats before they happen, or deal with them promptly and create such infrastructure and push systems forward which can avert future cyber-attacks. • Lack of skills to deal with cyberattacks in Indian IT professionals and lack of enough emphasis on data protection and backup which creates greater challenges for India.
Spread of fundamentalism and terrorist ideology	<ul style="list-style-type: none"> • Increased use of cyberspace by terrorists to defraud gullible population, brainwash and indoctrinate them with their vendetta etc. • Spreading propaganda and misinformation through the internet has become very simple in the past few years. Whatsapp, Facebook and similar social media sites has been seen to be a very effective medium in spreading terrorist ideologies for example, 6 youths were identified by NIA to be part of ISIS module who used to contact with the help of social media.
Smart Cities and Cyber Threats	<ul style="list-style-type: none"> • Cities are adopting new technologies and thus becoming ever smarter also, Indian government recently announced setup of 100 smart cities. • Newer technologies along with faster and easier connectivity will allow such cities to use resources in an optimum manner, save money and provide better services to their citizens. • Cities around the world whether smart or not face numerous cyber security threats. • These problems could have a direct impact on government, residents and the companies and organizations doing business there. • Cyber security in cities is extremely important, but we have yet to fully realize the risk.

Government has taken several steps to prevent and mitigate cyber security incidents. These include:

PROGRAMMES AND INITIATIVES.

- **Cyber Swachhta Kendra**- Digital India initiative under MEITY, launched in 2017 this platform which was introduced for internet users to clean their computers and devices by wiping out viruses and malware. Cyber Swachhta Kendra (Botnet Cleaning and Malware Analysis Centre) has been launched for providing detection of malicious programmes and free tools to remove such programmes.

12th India Security Summit on “Towards New National Cyber Security Strategy”

- During the conference, many issues were discussed such as protection of critical national infrastructure, emerging cyber threats: incidents, challenges and responses.
- Cyberspace is becoming a new battlefield. Successful attacks have caused significant financial loss and other problems. Cyber security is crucial for digital Governance and its broad ecosystem.
- MoS (Home) said that the Government has taken various measures to counter cyber threats.
- Ministry of Home Affairs (MHA) has rolled out a scheme ‘Indian Cyber Crime Coordination Centre (I₄C)’ to combat cybercrime in the country, in a coordinated and effective manner.

- **Crisis Management Plan** has been formulated as per guidelines of MEITY for countering cyber-attacks and cyber terrorism which will be implemented by all Ministries and Departments of the Centre and the state governments in critical sectors so as to deal with sudden crisis situations which can disrupt the functioning of the organisation.
- **Cyber Surakshit Bharat Initiative and Guidelines for CISO:** It was launched in 2018 with an aim to spread awareness about cybercrime and building capacity for safety measures for Chief Information Security Officers (CISOs) and frontline IT staff across all government departments. Issue of guidelines for Chief Information Security Officers (CISOs) regarding their key roles and responsibilities for securing applications / infrastructure and compliance

A chief information security officer (CISO) is the senior-level executive within an organization responsible for establishing and maintaining the enterprise vision, strategy, and program to ensure information assets and technologies are adequately protected.

- **Regular Audit-** As per the guidelines of MEITY and MHA provision for audit of the government websites and applications prior to their hosting, and thereafter at regular intervals.
- **Global best practices and International cooperation** - Empanelment of security auditing organisations to support and audit implementation of Information Security Best Practices. Looking forward to becoming a secure cyber ecosystem, India has joined hands with several developed countries like the United States, Singapore, Japan, etc. These agreements will help India to challenge even more sophisticated cyber threats.

Recently, Indian Prime Minister visited France in August 2019. During his visit, India - France adopted a cyber security and digital technology roadmap. It is aimed at expanding Indo - French bilateral Cooperation in cyber security sector.

- **Cyber Warrior Police Force (CWPF) and Regular Mock drills-** In January 2018, the government had announced its plans to introduce CWPF. The CWPF is likely to operate under National Information

Security Policy and Guidelines wing of MHA's CIS (Cyber and information security) division. It is proposed to be raised on lines of Central Armed Police Force (CAPF). Conducting cyber security mock drills and exercises regularly to enable assessment of cyber security posture and preparedness of organizations in Government and critical sectors.

- **Training and awareness generation of CISO's and other personnel involved**-Conducting regular training programmes for network / system administrators and Chief Information Security Officers (CISOs) of Government and critical sector organisations regarding securing the IT infrastructure and mitigating cyber-attacks. Training of 1.14 Lakh persons through 52 institutions under the Information Security Education and Awareness Project (ISEA) – a project to raise awareness and to provide research, education and training in the field of Information Security.
- **Electronic system and design and manufacturing policy**- India currently is one of the fastest growing market of electronics in the world, thus having potential to meet the domestic ESDM needs also to create capabilities to enhance export of ESDM products to other nations so as to generate foreign exchange earnings. The National Policy on Electronics also aims to address the issue with the clear-cut goal of transforming India into a premier ESDM hub. Promote domestic manufacturing and export in the entire value-chain of ESDM for economic development to achieve a turnover of USD 400 billion (approximately INR 26,00,000 crore) by 2025. This will include targeted production of 1.0 billion (100 crore) mobile handsets by 2025, valued at USD 190 billion (approximately INR 13,00,000 crore), including 600 million (60 crore) mobile handsets valued at USD 110 billion (approximately INR 7,00,000 crore) for export.

LEGISLATIVE MEASURES

Laws related to Cyber Security in India

Information Technology Act, 2000

The act regulates use of computers, computer systems, computer networks and also data and information in electronic format.

Criminal Offences	Subsection
Sending offensive messages, including attachments, through communications service	66A
Dishonestly receiving stolen computer resource or communication device	66B
Identity theft	66C
Cheating by personating	66D
Violation of privacy	66E
Cyber terrorism: defined as causing denial of service, illegal access, introducing a virus in any of the critical information infrastructure of the country defined u/s 70 with the intent to threaten the unity, integrity, security or sovereignty of India or strike terror in the people or any section of the people; or gaining illegal access to data or database that is restricted for reasons of the security of state or friendly relations with foreign states.	66F
Publishing or transmitting of material containing sexually explicit act in electronic form	67A
Publishing or transmitting of material depicting children in sexually explicit act	67B
Preservation and retention of information by intermediaries as may be specified for such duration and in such manner and format as the central government may prescribe.	67C

Figure: It shows various sections of the IT ACT,2000

National Cyber Security Policy 2013

India released its first cyber security policy called National Cyber Security Policy in 2013. The National Cyber Security Policy 2013 document outlines a road-map to create a framework for comprehensive, collaborative and collective response to deal with the issue of cyber security at all levels within the country.

Vision:	To build a secure and resilient cyber space for citizens, businesses and Government.
Mission:	To protect information and information infrastructure in cyberspace, build capacities to prevent and respond to cyber threats, reduce vulnerabilities and minimize damage from cyber incidents through a combination of institutional structure, people, process, technology and cooperation.
Objectives:	<ul style="list-style-type: none"> ● To create secure cyber-ecosystem and enable adequate trust and confidence in electronic transactions and also guiding stakeholders' actions for the protection of cyberspace. ● To create an assurance framework for the design of security policies and enable actions for compliance with global standards. ● To strengthen regulatory framework for ensuring secure cyber ecosystem. ● To develop suitable indigenous technologies in ICT sector. ● To increase the visibility of integrity of ICT products by establishing infrastructure for testing and validation of security of such products. ● To create a workforce of 500,000 professionals skilled in cyber security in the next five years. ● To provide fiscal benefits for corporate for adoption of cyber security. ● To safeguard the privacy of citizen's data. ● To enable effective prevention, detection and investigation of cyber-crimes. ● To create a culture of cyber security and enhance global cooperation in cyber security. ● To enhance protection and resilience of National Critical Information Infrastructure. ● To enhance national and sectoral 24x7 mechanisms for monitoring cyber threats.

<p>Strategies under National Cyber Policy, 2013</p>	<ul style="list-style-type: none"> • Creating a secure cyber ecosystem. • Creating mechanisms for security threats and responses to the same through national systems and processes. <ul style="list-style-type: none"> ❑ National Computer Emergency Response Team (CERT-in) functions as the nodal agency for coordination of all cyber security efforts, emergency responses, and crisis management. • Securing e-governance by implementing global best practices, and wider use of Public Key Infrastructure. • Protection and resilience of critical information infrastructure with the National Critical Information Infrastructure Protection Centre (NCIIPC) operating as the nodal agency. <ul style="list-style-type: none"> ❑ NCIIPC has been created under Information Technology Act, 2000 to secure India's critical information infrastructure. It is based in New Delhi. • Promoting cutting edge research and development of cyber security technology. • Human Resource Development through education and training programs to build capacity.
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Draft National Encryption Policy 2015

<p><u>Vision-</u></p>	<p>To enable information security environment and secure transactions in CyberSpace for individuals, businesses, Government including nationally critical information systems and networks.</p>
<p><u>Mission-</u></p>	<p>To provide confidentiality of information in cyber space for individuals, protection of sensitive or proprietary information for individuals & businesses, ensuring continuing reliability and integrity of nationally critical information systems and networks.</p>
<p><u>Objectives-</u></p>	<ul style="list-style-type: none"> • To synchronize with the emerging global digital economy / network society and use of Encryption for ensuring the Security / confidentiality of data and to protect privacy in information and communication infrastructure without unduly affecting public safety and National Security. • To encourage wider usage of Digital Signature by all entities including Government for trusted communication, transactions and authentication. • To encourage the adoption of information security best practices by all entities and Stakeholders in the Government, public & private sector and citizens that are consistent with industry practice.

<p><u>Salient features</u></p>	<ul style="list-style-type: none"> ● All citizens “are required to store the plain text of the encrypted messages for 90 days” and provide it to law enforcement agencies as and when required. ● All vendors of encryption products need to register their products with the designated agency of the Government. ● All encryption technology used in India shall be cleared by the government. ● Government shall maintain a list of all encryption technologies and only those technologies which are on the list can be used in this country. It means government knows every encryption technology used in India ● Common use Web-based applications and social media sites such as WhatsApp, Facebook and Twitter were exempted. ● The encryption products being used in Internet-banking and payment gateways under direction of the RBI and those being used for e-commerce and password-based transactions, are also exempted. ● Research and Development programs will be initiated for the development of indigenous algorithms and manufacture of indigenous products for Encryption, hashing and other cryptographic functions.
<p>Problem associated with the draft policy:</p>	<ol style="list-style-type: none"> 1. Awareness-Policy will affect almost all Internet users-a majority is not even aware that it is using encryption technologies. 2. Vague and unclear aspects-The biggest concern of this new policy is around the fact that users and organizations would “on demand” need to store all communication in plain text for 90 days from the date of transaction and make it available to law enforcement agencies. Most of the users in India do not know the meaning of plain text and in such a case they can be held liable for not storing their encrypted data in plain text format. Thus, almost everyone using the Internet will find themselves in violation of these rules. 3. Encrypted information- In case of communication with any foreign entity, the primary responsibility of providing readable plaintext along with the corresponding encrypted information shall rest on the business house or citizen located in India. 4. Agreement with the government- Service providers located within and outside India, using encryption technology for providing any type of services in India, must enter into an agreement with the government. This is seen as impractical as there are many service providers around the world that use encryption. It would be highly unrealistic for all of these to enter into an agreement with the Indian government. 5. Costly- Keeping a copy of the data will require huge storage and that will come at a cost.

	<p>6. Registraion procedure- There is an apprehension that the policy will start a new “registration raj”, now that all encryption technologies that can be used in India will need to be certified and listed by the concerned agencies.</p> <p>7. Confidential data- For companies that store private data it would mean storing passwords in plain text, which means private and confidential data will remain unencrypted and hence vulnerable for 90 days.</p> <p>8. Government control- Government proposed to prescribe the algorithms and key sizes for encryption. This implies government control overall data.</p>
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INSTITUTIONAL MEASURES

Administrative measures to deal with cyber-attacks in India

Indian Cyber Crime Coordination Centre (I4C) – A 7-Pronged Scheme to Fight Cyber Crime

- MHA has rolled out a scheme ‘Indian Cyber Crime Coordination Centre (I4C)’ for the period 2018-2020, to combat cybercrime in the country, in a coordinated and effective manner.
- Central Government has taken steps to spread awareness on cybercrime, issue cyber related alerts/ advisories, capacity building/ training of law enforcement officers/ judges/ prosecutors, improving cyber forensics facilities etc. to prevent cybercrime and expedite investigations.
- Indian Cyber Crime Coordination Centre (I4C) and the Cyber Police Force will be set up under the newly created Cyber & Information Security (CIS) Division of the Union Ministry of Home Affairs.
- CIS Division will have four Wings, namely Security Clearance, Cyber Crime Prevention, Cyber Security and Information Security Wings each headed by an Under-Secretary level Officer. It is also proposed to appoint a Chief Information Security Officer (CISO) and Deputy CISO.
- An online portal for preparing, follow up and issue of advisory on financial fraud related matters is also in the offing.
- The scheme has the following seven components-

(i) **National Cybercrime Threat Analytics Unit** - It shall provide a platform for law enforcement personnel, persons from the private sector, academia and research organizations to work collaboratively in order to analyse all pieces of puzzles of cybercrimes. Threat Analytics Unit shall also produce cybercrime threat intelligence reports and organize periodic interaction on specific cybercrime centric discussions. Create multi-stakeholder environment for bringing together law enforcement specialists and industry experts.

(ii) **National Cybercrime Reporting Portal** – It will work in tandem with already established investigation units at state and central levels as well as experts from different spheres to create expert investigation teams and will have the capability to respond in real time to rapidly changing cybercrime threat. Also, will be able to collaborate with partners to investigate cyber and cyber-enabled crime.

(iii) **Platform for Joint Cybercrime Investigation Team**- Its objective is to drive intelligence-led, coordinated action against key cybercrime threats and targets. This will facilitate the joint identification, prioritization, preparation and initiation of multi-jurisdictional against cybercrimes.

(iv) **National Cybercrime Forensic Laboratory Ecosystem**. - Forensic analysis and investigation of cybercrime as a result of new digital technology and techniques. Develop a centre to support investigation process. NCFL and associated Central Forensic Science Laboratory to be well-equipped and well-staffed in order to engage in analysis and investigation activities to keep-up with new technical developments, using which a completely new kind of cybercrime might have been committed.

(v) **National Cybercrime Training Centre**. - It will be setup to focus on standardization of course curriculum focused on cybercrimes, impact containment and investigations, imparting practical cybercrime detection, containment and reporting trainings on simulated cyber environments. Development of Massive Open Online Course to be delivered on a cloud-based training platform. It will also focus on establishing Cyber Range for advanced simulation and training on cyber-attack and investigation of such cybercrimes.

(vi) **Cybercrime Ecosystem Management Unit**. - Develop ecosystems that bring together academia, industry and government to operate, investigate a cybercrime basis established standard operating procedures, contain the impact of cybercrimes and respond to cybercrimes. Provide incubation support for development of all components of cybercrime combatting ecosystem

(vii) **National Cyber Research and Innovation Centre**. - Track emerging technological developments, proactively predict potential vulnerabilities, which can be exploited by cybercriminals. To leverage the strength and expertise of all stakeholders, be it in academia, the private sector or inter-governmental organizations. Create strategic partnerships with all such entities in the area of research and innovation focused on cybercrimes, cybercrime impact containment and investigations.

INTERNATIONAL BEST PRACTICE: ISRAEL

- The Israel Defence Force (IDF) has created two elite units for cyber warfare: C4I (Command, Control, Communications, Computers and Intelligence) and Military Intelligence.
- The Israel government has actively sought out private sector institutions and the civil society to create a wide network of cyber security experts.
- National Information Security Authority was established in 2002, which is responsible for preventing cyber-attacks against critical infrastructure.
- Israel National Cyber Bureau (INCB), created in 2012, has been instrumental in creating a national cyber defence policy, partnerships with the private sector, and linking domestic and international cyber defence players.
- Israel also actively promotes cyber security start-ups.

National Cyber Coordination Centre (NCCC)

- Received an in-principle approval from the cabinet committee of security in May 2013 yet to become a reality. In 2017 NCCC was developed where its mandate is to scan internet traffic and communication

metadata (which are little snippets of information hidden inside each communication) coming into the country to detect real-time cyber threats.

- Will collect, integrate and scan [Internet] traffic data from different gateway routers of major ISPs at a centralized location for analysis, international gateway traffic and domestic traffic will be aggregated separately.
- The NCCC will facilitate real-time assessment of cyber security threats in the country and generate actionable reports/alerts for proactive actions by the concerned (law enforcement) agencies.
- Till now CERT-In was involved partially in this type of work although without intruding into any personal accounts. DG CERT-In is called National cyber coordinator. CERT-IN has been the lead agency in signing agreements for better coordination with the international community.

Defence Cyber Agency (DCA)

- It is a tri-service command of the Indian Armed Forces. Headquartered in New Delhi, the agency is tasked with handling cyber security threats. It is a move to boost capabilities to fight against hackers, especially those coming from China and Pakistan.
- The DCA draws personnel from all three branches of the Armed Forces. The head of the DCA is an officer of two-star rank, and reports to the Chairman of the Chiefs of Staff Committee (CoSC) through the Integrated Defence Staff (IDS)

CERT-In (Cyber Emergency Response Team -India)

- All organizations providing digital services have been mandated to report cyber security incidents to CERT-In expeditiously. Recently in the budget announcement a CERT- FIN for supervision and protection of the financial sector was introduced. Established in 2004, CERT-In functions under MEITY.
- CERT-In is India's response to cyber threats and has following charter, mission and constituency.
 - ❑ Charter: The purpose of the CERT-In is, to become the nation's most trusted referral agency of the Indian Community for responding to computer security incidents as and when they occur.
 - ❑ Mission-To enhance the security of India's Communications and Information Infrastructure through proactive action and effective collaboration.
 - ❑ Constituency: The CERT-In's constituency is the Indian Cyber-community is mandated under the IT Amendment Act, 2008 to serve as the national agency in charge of cyber security. Since Nov 2012, DG of CERT-In is called the National Cyber Security Coordinator (NCSC).
 - ❑ Quick response by CERT's- Issue of alerts and advisories regarding cyber threats and counter-measures by CERT-In.

NTRO (National Technical Research Organisation)

- It is a technical intelligence agency under the National Security Adviser in the Prime Minister's Office, India which was Set up in 2004.
- It also includes National Institute of Cryptology Research and Development (NICRD).
- The agency develops technology capabilities in aviation and remote sensing, data gathering and processing, cyber security, cryptology systems, strategic hardware and software development and strategic monitoring.

- National Technical Research Organisation (NTRO), originally known as the National Technical Facilities Organisation (NTFO), is a highly specialised technical intelligence gathering agency. While the agency does not affect the working of technical wings of various intelligence agencies, including those of the Indian Armed Forces, it acts as a super-feeder agency for providing technical intelligence to other agencies on internal and external security.

National Critical Information Infrastructure Protection Centre (NCIIPC)

Why protection of critical infrastructure is important?

- Any delay, distortion or disruption in the functioning of these CIIs can easily be led to political, economic, social or national instability

Objectives of NCIIPC

- Serves as National Nodal Agency to protect NCII.
- Deliver advice to reduce vulnerabilities.
- Identify all CII elements for notification.
- Provide strategic leadership and coherent Government response.
- Coordinate, share, monitor, collect, analyse and forecast threats.
- Develop plans, adopt standards, share best practices and refine procurement processes
- Evolve protection strategies, policies, vulnerability assessment and auditing methodologies and plans for CII.
- Undertake R&D to create, collaborate and develop technologies for growth of CII protection.
- Develop training programs for CII protection.
- Develop cooperation strategies.
- Issue guidelines, advisories etc. in coordination with CERT-In and other organisations.
- Exchange knowledge and experiences with CERT-In and other organisations.
- NCIIPC may call for information and give directions to CII.

Miscellaneous measures-

Recommendations on Cybersecurity Framework for States

- **P-P-P Model for Cybersecurity**
 - State Cyber security Framework shall be envisaged in P-P-P Model.
 - Government shall partner with the private sector and academia to strengthen cyber security posture of the state.
- **Information Security Policy and Practices**
 - Information security policies & practices shall be mandated at government functionaries & its service providers.
 - Security Audit Adhering to international standards applicable for all government websites, applications before hosting and publishing.
 - Government to ensure ISPs operating in the state shall deploy cyber security plans in line with State cyber security policy.

- **State Computer Emergency Response Team**
 - Establishment of the State CERT to operate in conjunction I-CERT and coordinate with NCIIPC.
 - Cyber security drills shall be carried out under the supervision of I-CERT.

What more can be done and Way ahead-

- Implementing Gulshan Rai Committee recommendations
 - Establishing a new Indian Cyber Crime Coordination Centre and linking it to NATGRID and CCTNS (Crime and Criminal Tracking Network System) to deal with cybercrimes.
 - Reducing the dependence on foreign servers by creating one dedicated secure gateway for all government communication.
 - Amending the Evidence act as per current requirements.
 - Sensitising the states by setting up cyber forensic laboratories in states.
 - Awareness generation - Central Government has taken steps to spread awareness about cybercrimes, issue of alerts/advisories, capacity building/training of law enforcement personnel/ prosecutors/ judicial officers, improving cyber forensics facilities etc. to prevent such crimes and to speed up investigation.
- Government has launched the online cybercrime reporting portal, www.cybercrime.gov.in to enable complainants to report complaints pertaining to Child Pornography/Child Sexual Abuse Material, rape/gang rape imageries or sexually explicit content.
- I4C- Central Government has rolled out a scheme for establishment of Indian Cyber Crime Coordination Centre (I4C) to handle issues related to cybercrime in the country in a comprehensive and coordinated manner.
- 'Police' and 'Public Order' are State subjects as per the Constitution of India. States/UTs are primarily responsible for prevention, detection, investigation and prosecution of crimes through their law enforcement machinery. The Law Enforcement Agencies take legal action as per provisions of law against cybercrime offenders.
- Regular data backup is a solution to ransomware as the data backup will already be stored somewhere else, thus it will act as a deterrence against the blackmailers who are asking for ransom in return of unlocking the precious data.
- Defence- Using the knowledge gained from actual attacks that have already taken place in building effective and robust defence so as to avoid such incidents recurring in the future.
- Increased awareness about cyber threats for which digital literacy is necessary, thus becomes a precondition as it must be the primary task of the government. PMDISHA yojana is a step in the right direction which promoted digital literacy in the rural masses.
- Signing the Budapest Convention: The Budapest Convention (The Convention on Cybercrime) is the first international treaty dealing with cybercrimes. India should sign the treaty for effective international collaborations.
- Talent utilisation-India needs to secure its computing environment and IoT with latest tools, patches, updates in a timely manner with the learnings gained from the best practices around the world. Government should hire the best talent who are highly skilled by paying them market competitive remuneration so as to deal with cyber security issues in the most optimum way.

- Skill development-Need of the hour for Indian government is to develop core skills in cyber security in youth, data integrity and data security awareness while also setting stringent cyber security standards to protect banks and financial institutions from cyberattacks, promoting global cooperation in the area of cybersecurity is the need of the hour otherwise overt cyberwarfare will be a reality one day. Real-time intelligence, staff and infrastructure is required who can protect our cyber architecture round the clock for preventing and containing cyber-attacks.
- Data localisation and data protection norms to be promoted - Data localization is the act of storing data on any device that is physically present within the borders of a specific country where the data was generated. It is necessary for India because of securing citizen's data, data privacy, data sovereignty, national security, and economic development of the country. Thus, the government needs to take steps in the promotion of data protection and there is an urgent need to have an integrated, long-term strategy for policy creation for data localisation.
- Boosting indigenous electronics manufacturing- The government should provide adequate funding for creating an indigenous electronics manufacturing ecosystem.
- Using Artificial Intelligence (AI) and modern technology for predicting in advance and accurately identifying attacks on cyber infrastructure so as to create a foolproof cyber architecture.
- India's legal system needs to be upgraded towards enhanced cyber laws as its present form is still dwelling on the *IT Act, 2000 (IT Amendment Bill 2006 and IT Amendment Bill 2008)* which are unable to cover the holistic issues in a field which is changing every day.

Miscellaneous topics-

DIGITAL ARMED FORCES IN INDIA

Some examples where the Army has already taken lead in building the Digital India vision are as under
Network for Spectrum Optical Fibre project is a pan India network which will have the requisite bandwidth for Broadband Highways.

- ARPAN 3.0, automation software for Army personnel, has been launched by the Defence Minister. It provides the Army personnel easy access to their service records, such as salary, leave, transfer and postings. This is digital empowerment of members of the Army. Army and Digital India The Army, since Independence, has led the national effort in a number of ways and Digital India is a programme where it can become a lead contributor.
- The vision of Digital India can be the vision for all ranks of the Army too. The role the Army can play in the **9 pillars** of Digital India
- **Broadband Highways**–The Network for Spectrum Optical Fibre Network is already being implemented on the ground and will provide the backbone infrastructure required for Broadband Highways. It should be feasible to cover this network right down to battalion level.
- **Universal Access to Mobile Connectivity**–The booming mobile phone industry is enabling access to Smart Phones to all citizens of the country. This is making it possible for all ranks of Armed Forces to have access to SmartPhones. Armed Forces would have a role to play to ensure that mobile tower infrastructure is given access in defence areas to enable Armed Forces personnel to access mobile communications.
- **Public Internet Access Program**–Internet today is becoming a necessity for all citizens. The mobile service providers are already providing this service on mobile phones. The issue of providing free wi-fi hotspots in military areas will have to be examined from a security point of view. It is possible to provide

Internet access to all ranks with suitable security instructions and a monitoring mechanism without impinging on privacy.

- **E-governance**–In respect of Army, this would imply providing administrative services in e-format. This is one area where Army needs to work a lot. Our services, for example in Cantonments, are still paper based with large lead times. Army needs to make an e-governance task force to steer this on a fast track basis. Another aspect which needs consideration is to provide all ranks access to their home station governance portal from their place of posting. This will ease a large number of their problems.
- **e-Kranti**–With expectations on the rise, eKranti is another area where the Army can make a difference for its personnel. Some areas of activity can be
 - e-Education–All training institutions can be interconnected and Digital based education can be provided. We can develop pilot projects on Massive Online Open Courses (MOOCs). Some work is already underway in this field.
 - e-Healthcare–Healthcare is an area which can have a revolutionary effect. Online medical records, Pan India exchange of patient information, online consultation etc are few of the many possibilities in improving health care access to all personnel.
 - GIS–Armed Forces can be part of the National GIS Mission Mode Project and use its facilities for GIS based decision making.
 - Security–Technology can be leveraged to improve security, something which is a necessity as far as Army is concerned. Cyber Security needs to be given the impetus required to safeguard us from Cyber Threats.
 - Financial Inclusion–We are aware that majority of our personnel are financially illiterate and have limited access to financial services. Financial inclusion will help personnel posted in field areas to easily transfer money and do a host of financial transactions without having to visit government offices/banking institutions.
- **Information for All**–The Army has already taken a number of measures to provide information to all ranks on both the Army Intranet and the internet. The Army can easily work towards providing more valuable information to all ranks.
- **Electronics Manufacturing**–Majority of the Indian Army weapon platforms are imported. Key components of these imports are electronics. The Army can contribute towards the aim of net zero import by 2020 by closely working with the industry to source electronics items from local manufacturers.
- **IT for Jobs**-While the aim of IT for jobs is make an IT ready workforce, Army also needs to train all personnel in the IT domain. It will help them being IT literate as well as make them industry ready when they leave the Army.
- **Early Harvest Programme**-The programme can be utilised by the Armed Forces as under
 - Wi-Fi in all Universities–For the Army, this can be implemented as Wi-Fi for all Training establishments. Wi-Fi access in Training establishments is feasible with fewer security issues.
 - Secure email within Government–The process of providing government emails has already commenced. Army can fast track this process to ensure that all authorised users are provided secure Government email, which in turn would become the primary mode of communication outside of the Army Intranet. It will enable official communications to move away from Gmail, Yahoo Mail etc.

- Standardised Government email Design–As is being done by the government, we will also have to design our email design templates as per our requirements. While such templates are already functional in the Army intranet, templates where mail has to be sent by internet needs to be worked out.

Global best practices

- United States Cyber Command-USA has a separate cyber command centre which has the primary role of countering all adverse cyber activities which affect the country. United States Cyber Command (USCYBERCOM) is one of the eleven unified commands of the United States' (DoD) Department of Defence. It unifies the direction of cyberspace operations, strengthen DoD cyberspace capabilities, and integrates and bolsters DoD's cyber expertise.
- “Five Eyes” is a coalition for joint cooperation in cyber intelligence sharing. It is an alliance of the United States, Australia, Canada, New Zealand and the UK. In recent years, many documents have revealed that the alliance has been spying on foreign nationals by circumventing the national laws on spying.

PARIS CALL FOR TRUST AND SECURITY IN CYBERSPACE

What is the ‘Paris Call’?

The ‘Paris Call’ is a statement of consensus related to the growing concerns about cyber threats. It is a set of common principles agreed upon by like-minded countries, private sector entities and international civil society organizations.

When was it announced?

It was adopted at the UNESCO Internet Governance Forum (IGF) meeting convened in Paris. It was announced on the 12th November, 2018.

What is Internet Governance?

Internet Governance refers to the rules, policies, standards and practices that helps to resolve conflicts on the cyberspace and makes the internet workable.

What are the principles articulated in the Paris Call?

The Paris Call includes nine goals within a broad framework of three themes:

1. **An inclusive regulatory process:**
 - Gather the existing cyber norm initiatives in a single document and set out a framework for further negotiations. By doing this, the Paris Call aims to prevent fragmentation of norms.
 - Involve the private sector within the cyber-security framework.
 - Adopt a multi-stakeholder approach comprising of governments, NGOs, corporate houses to improve collaboration on matters related to cyberspace.
2. **International Law and State sovereignty:**
 - Ensure that the regulation of cyberspace is carried out within the framework of the UN Charter and international humanitarian law in a coordinated manner.
 - Appealed for preventing illegal and immoral interventions in national elections of countries.
3. **Protection of humans and infrastructure**
 - Protect individuals and critical infrastructure from any danger.

- Include the industries and civil society groups in promoting 'cyber hygiene' (everyday good practices for protecting the data and ensuring safety).

Is the call 'binding'?

The call is non-binding. But the countries agreed on a number of key principles, such as:

- Importance of a peaceful cyberspace;
- Relevance of international law and responsible behaviour by governments;
- Threat posed by malicious cyber activities.

What is the significance of the 'Paris Call'?

- It has recognised that cyber threats are one of the greatest threats to the security of a country.
- It stresses on the benefits of a peaceful cyberspace, the importance of international humanitarian law and responsible behaviour by governments.
- It stresses the value of international cooperation and collectively addressing the threat of cyberattacks.

Conclusion:

India is on the path of development and a New Digital India and it should take necessary measures to deal with cybersecurity challenges which it faces, in the past it has been seen that various vulnerabilities have time and again caused economic and other losses, but since the creation of various agencies like CERT etc. the defensive structure of India against cyberthreats became much stronger. The need of creating a very robust body to deal with the upcoming vulnerabilities and to work within a proactive framework which eliminates the risk as and when it happens so that it does not affect the organisation in any way. Thus, the government should work on creating solutions for the various challenges which affects Indian cyberspace so as to provide safety, security and protection for its citizens who use the internet.

10. BORDER MANAGEMENT

<p>CONTENTS:</p> <ol style="list-style-type: none"> 1. Introduction 2. Common challenges 3. India - Bangladesh border 4. India - China border 5. India - Pakistan border 6. India - Nepal border 7. India - Myanmar border 8. India - Bhutan border 9. Way forward for border management 10. Coastal Security <ol style="list-style-type: none"> a. Security concerns b. Government Initiatives c. Issues with measures d. Way forward 	<p>SYLLABUS:</p> <p>GS 3: Internal Security</p>
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INTRODUCTION:

- India has 15106 kilometers of land borders and a coastline of 7516.6 kilometers. All states except Madhya Pradesh, Chhattisgarh, Jharkhand, Telangana, and Haryana have an international border or a coastline.
- In the Indian case, borders are quite complex and almost every type of extreme geography is present at different borders viz. deserts, fertile lands, swampy marshes or tropical evergreen jungles.
- India has following boundary length: with Bangladesh (4096.7 km), China (3488 km), Pakistan (3323 km), Nepal (1850 km), Myanmar (1643 km) and Bhutan (699 km).
- The Department of Border Management, under the Ministry of Home Affairs (MHA), is tasked with securing most of India's borders, with some of their key objectives being to prevent infiltrations, drug smuggling as well as facilitating trade and the safe movement of people.

COMMON CHALLENGES:

- **Undefined borders:** Lack of proper demarcation of our land and maritime borders. For eg. Sir Creek dispute with Pakistan.
- **Geographical problems:** Complex and different terrain on all borders makes it difficult to attain specialization in border management. Eg. dense forests on Indo-Myanmar border.
- **Multiple agencies:** Lack of coordination among multiple agencies associated with border security such as Army, BSF, Ministry of Defence, Ministry of Home Affairs.
- **Infrastructural issues:** Lack of infrastructure with border forces including shortage both in terms of manpower, check posts and defence equipments. Time & cost overruns in infrastructure projects due to unforeseen circumstances & natural calamities.
- **Concerns of local population:** Inadequate attention to the concerns of local people in border areas which is exploited by hostile elements to create a feeling of ill will against the security forces & Government.

- **Problems for security forces:** Inadequate attention to security forces such as no mobile connectivity leading to isolation, inadequate medical facilities, the disparity in wages and allowances in comparison with the army.
- **Radicalism:** Additionally, in some countries, there is cultural radicalism that is targeted on India, and terrorists and mafia groups are patronized by some of India's neighboring states.
- **Linkages with organized crime:** There is cross border smuggling problem of drugs, cattle, humans, artifacts, fake currency note, etc. Unfortunately, in this scenario border forces appear to be severely undermanned and under-equipped which is taking a heavy toll on the economic, social and political stability of the country.

1. India - Bangladesh Border:

- India shares 4096.7 Km of its land border with Bangladesh which is guarded by Border Security Force (BSF). West Bengal, Assam, Meghalaya, Tripura, and Mizoram are the States which share the border with Bangladesh.
- The entire stretch consists of plain, riverine, hilly/jungle and with hardly any natural obstacles. The area is heavily populated, and at many stretches, the cultivation is carried out till the last inch of the border.
- Border was drawn by the Bengal Boundary Commission chaired by Sir Cyril Radcliffe in 1947. The border was thus drawn on the basis of old district maps.



Fig. Map showing borders with Bangladesh, Bhutan and Myanmar

Issues:

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

Force on Border Management, 2001', there are about 15 million Bangladeshi illegal immigrants in India, increasing at a rate of 3 lakh per month.

- **The National Register of Citizens (NRC):** The NRC is the list of Indian citizens and was prepared in 1951, following the census of 1951.
 - The process of NRC update is taken up in Assam as per a Supreme Court order in 2013.
 - In order to wean out cases of illegal migration from Bangladesh and other adjoining areas, NRC updation was carried out under The Citizenship Act, 1955, and according to rules framed in the Assam Accord (1985).
- **Water disputes:** There are 54 transboundary rivers between both the countries. The Ganges Treaty signed in 1996 is a water sharing agreement, solely an arrangement for the volumetric allocation of river flow in the dry season. It doesn't address the concerns of flooding in Bangladesh due to Farakka Barrage on Ganga river. Other disputes are sharing of Teesta river water and construction of dams by India on Barak river.
- **Cattle and other Smuggling:** Trafficking of goods like jamdani sarees, rice, salt, etc. from India to Bangladesh. Cattle from as far as Haryana, UP, Bihar is taken to borders for grazing and then smuggled to Bangladesh. Along with cattle, smuggling of arms, and other essential items such as sugar, salt and diesel, human and narcotics trafficking, counterfeit Indian currency, kidnapping, and thefts are quite rampant along the India–Bangladesh border.
- **Bases of Anti-India elements:** Presently, the United Liberation Front of Assam (ULFA), The All Tripura Tiger Force (ATTF), The National Liberation Front of Tripura (NLFT), and the National Democratic Front of Bodoland (NDFB) as well as several other insurgent outfits from the Northeast have bases in the Chittagong, Khagrachari, and Sylhet districts of Bangladesh.
- **Porous border:** Inadequate border fencing due to issues such as riverine areas, protests by residing population, pending land acquisition, etc. There are frequent clashes between BSF and Bangladesh Border Guards.

Initiatives:

- **Land Boundary Agreement of 1974** – It was an agreement signed on May 16, 1974, soon after the independence of Bangladesh, to find a solution to the complex nature of border demarcation. While Bangladesh ratified the agreement, India didn't as it involved seceding territory and indicating these precise areas on the ground. In September 2011, India and Bangladesh signed a protocol on border demarcation and exchange of adversely held enclaves.
 - **100th Amendment to the Indian constitution (Amendment of First Schedule to Constitution):** Exchange of 111 enclave territories with Bangladesh in return of 51 enclaves and conferment of citizenship rights to residents of enclaves' by this Amendment in 2015 paved the way for the operationalization of the 1974 India-Bangladesh Land Boundary agreement.
- **Border Protection Grid (BPG)** - The government has announced the establishment of Border Protection Grid (BPG) with Indo- Bangladesh Border States which will comprise of physical barriers, non-physical barriers, surveillance systems, Intelligence agencies, State Police, BSF. It will also involve states to ensure greater help for them in the overall border security.
- **Power agreement and internet service** – India will supply 100 megawatts (MW) of electricity in return for 10 Gigabits per second Internet bandwidth to North East. This will help in inter-agency coordination and cooperation.

- **Sundarban Maithri** - A joint exercise between Border Security Force (BSF) and Border Guard Bangladesh (BGB). The BSF and BGB have also been raising awareness among the locals regarding crime prevention in the border area.
- **Integrated Check Posts (ICPs)**: There are several designated entry and exit points on the international borders of the country through which cross border movement of people, goods, and traffic takes place. The ICPs are sanitised zones at border crossings, with adequate passenger and freight-processing facilities. They integrate three main border-related functions:
 - **Customs**: For the clearance of cargo/goods carried by vehicles, valuable personal items of passengers, and currency by monitoring mechanism and installed equipment.
 - **Immigration**: For the checking of passports, visas and passenger identification.
 - **Border Security**: For maintaining security, preventing the flow of illegal arms and other lethal weapons, and providing backup support to customs and immigration.

There are 3 ICPs on Indo-Bangladesh border: Agartala (Tripura), Petrapole (West Bengal), Dwaki in Meghalaya (under construction), Sutarkandi in Assam (approved in December 2018).

- **Fencing and Floodlighting**: These are important constituents of maintaining vigilance along the borders. In order to curb infiltration, smuggling and other anti-national activities from across Indo-Pakistan and Indo-Bangladesh borders, the Government has undertaken the work of construction of fencing, floodlighting and roads along these borders.
- **Exercise Sampriti-2019**: A joint military exercise is an important bilateral defence cooperation endeavour between India and Bangladesh.
- **Border Haats**: They are market places organised by the two countries one day each week.
 - It is not only a market for buying daily commodities but also a reunion spot for families living on both sides.
 - Currently, four border haats are operational along the India-Bangladesh border.
 - Two border haats are located in Meghalaya at Kalaichar and Balat and two are located in Tripura at Srinagar and Kamalasagar.
- Installation of Border surveillance devices such as closed-circuit cameras, searchlights, thermal imaging devices and drones to keep a tight vigil.
- A crime-free stretch of 8.3 kms has been established between the BSF border posts at Gunarmath and Kalyani and the BGB (Border Guards Bangladesh) border posts at Putkhali and Daulatpur.

Recent Developments: Bangladesh's Prime Minister recently visited India in October 2019, during which seven major deals were finalised:

- MoU for providing a Coastal Surveillance System;
- Standard Operating Procedure on use of Chattogram and Mongla Ports for movement of goods to and from India;
- MoU on withdrawal of water from Feni River by India for drinking water supply scheme for Sabroom town, Tripura;
- Agreement concerning Implementation of the Lines of Credit (LoCs) committed by India to Bangladesh;
- MoU between the University of Hyderabad and University of Dhaka;

- Renewal of Cultural Exchange Programme and,
- MoU on Cooperation in Youth Affairs.

Way Forward:

- **Diplomatic Effort:** India has to make diplomatic effort to get Bangladesh to cooperate as illegal migration cannot be solved unless origin country cooperates. Sharing of digital database of its citizens will make it easier.
- The ongoing NRC updating should be completed without delay and proper arrangements for the deportation of illegal migrants should be done, without compromising border development interest
- **Border fencing** in Assam must be completed forthwith on a war footing. The existing Border Security Force posts and the BSF water wing should be strengthened.
- Deepening relationship with Bangladesh has become a necessity in the face of shifting geo-economics. Bangladesh, with its growing economic success, and with its 8 percent growth rate provides a vital partnership in the region.

2. India - China Border:

- India and China share a 3,488 km long boundary which is guarded by Indo-Tibetan Border Police (ITBP). The India-China border is divided into three sectors, viz. Western, Middle and Eastern.
- The boundary dispute in the Western Sector pertains to the Johnson Line proposed by the British in the 1860s that extended up to the Kunlun Mountains and put Aksai Chin in the then princely state of Jammu and Kashmir. Independent India used the Johnson Line and claimed Aksai Chin as its own.
- In the Middle Sector, the dispute is a minor one. It is the only one where India and China have exchanged maps on which they broadly agree. The disputed boundary in the Eastern Sector of the India-China border is over the McMahon Line.
- In 1913, the British-India government had called a tripartite conference, in which the boundary between India and Tibet was formalized after a discussion between the Indian and the Tibetans. A Convention was adopted, which resulted in the delimitation of the Indo-Tibetan boundary. This boundary is, however, disputed by China which terms it as illegal.
- Since 1954, China started claiming large tracts of territory along the entire border such as Aksai Chin in Jammu and Kashmir, some areas in Uttarakhand and the entire Arunachal Pradesh. These disputes related to border still persist today.
- Today, these border skirmishes are just one dimension of the larger issue of regional geopolitics as China wants to showcase the status of being a regional superpower.



Fig. India-China border

Issues:

- Border dispute:** Present in regions around Aksai Chin in J&K as well as in Arunachal Pradesh with sporadic aggression. During the 1950s, the People's Republic of China built a 1,200 km (750 mi) road connecting Xinjiang and western Tibet, of which 179 km (112 mi) ran south of the Johnson Line through the Aksai Chin region claimed by India.
 - The Indians did not learn of the existence of the road until 1957, which was confirmed when the road was shown in Chinese maps published in 1958.
 - This episode was followed by intermittent clashes along the border, which finally culminated in the Indo-China War of 1962. The boundary, which came into existence after the war, came to be known as Line of Actual Control (LAC). It is a military held line.
- Large scale smuggling:** Smuggling of Chinese electronics and other consumer goods takes place through these border points even after only three designated areas for border trade exist. These are Lipu Lekh, Shipki La and Nathu La.
- Doklam standoff in 2017:** Indian troops intervened to block the path of Chinese People's Liberation Army soldiers engaged in building road-works on the Doklam plateau, a strategically vital 269 sq. km. patch of Bhutan's territory that Beijing laid claim to.
 - This is the first time that India used troops to protect Bhutan's territorial interests.
 - The construction of a new road through the Chumbi valley would have endangered the "Chicken's Neck" – the narrow Siliguri corridor in West Bengal that links the north-east states with the rest of India.
- Inadequate infrastructure:** Due to high altitude and tough terrain. However, China has undertaken a large-scale effort to upgrade air, roads and rail infrastructure, as well as surveillance capabilities near the border.

- **Multiple forces along Indian border:** For e.g.-ITBP, Assam rifles, Special frontier forces on the Indian side as opposed to single People Liberation Army (PLA) on the Chinese side. This leads to lack of intra-agency coordination hampering holistic border management.
- **Water-sharing issues:** such as China is building dams on its side on river Brahmaputra reducing water flows on the Indian side. India has objected to it but there has been no formal treaty over sharing of the Brahmaputra water.
- **Chinese Propaganda:** there are cases of cartographic aggression in Arunachal Pradesh by China.
 - China issued stapled visa to the citizens of Arunachal Pradesh in which when the visitor leaves the country, entry and exit stamps are torn out, leaving no record on his passport. In case of Stapled Visa, the stamp is put on an additional paper instead of the passport of the traveller.

Initiatives:

- **High-Level border talks in 1981:** After eight rounds, the talks broke down in 1987. In 1988, following Prime Minister Rajiv Gandhi's visit to China, the Joint Working Group (JWG) was set up to look into the border problem.
- **Agreement on the Maintenance of Peace and Tranquility in 1993:** In 1993, the Agreement on the Maintenance of Peace and Tranquility along the Line of Actual Control (LAC) was signed and the India-China Expert Group of Diplomatic and Military Officers was set up to assist the JWG.
- **Agreement on Confidence Building Measures (CBMs) in 1996:** The Agreement on Confidence Building Measures (CBMs) in the Military Field along the LAC was signed. In 2003, two special representatives (one each from India and China) were appointed to find a political solution to the border dispute. Till 2017, these two special representatives had held 20 rounds of talks, but it seems they have not made much headway.
- **Working Mechanism for Consultation and Coordination on India-China Border Affairs (WMCC):** WMCC was established in 2012 as an institutional mechanism for consultation and coordination for the maintenance of peace and tranquility in the India-China border areas, as well as to exchange views on strengthening communication and cooperation, including between their border security personnel.
- **Additional Confidence Building Measure on Border cooperation (2013):** was agreed in 2013 and measures include regular interaction between the Army Headquarters and Field Commands of the two sides, additional border personnel meeting points and more telecommunication linkages between their forward posts at mutually agreed locations.
- **Creating infrastructure:** India is also constructing some critical bridges to cut down time for troop movements such as Dhola-Sadiya bridge inaugurated in the recent past.
 - **India has joined hands with Japan** to aggressively develop infrastructure projects in Northeast to improve India's defensive position against China.
 - Army infrastructure projects within 100Km of LAC have been **exempted from forest clearance** which would help in faster movement of security forces.
 - To **expedite border road construction**, the Ministry of Defence has decided to delegate administrative and financial powers to the Border Roads Organisation (BRO). This will lead to better mobilization of resources in border areas.
 - **Him Vijay:** The Indian Army's biggest ever mountain combat exercise in Arunachal Pradesh, 100 km away from the Line of Actual Control. It was done to show India's defensive capabilities.

Recent Developments:**Second India-China Informal Summit (Mamallapuram Summit) -**

- Both countries agreed to establish a High-Level Economic and Trade Dialogue mechanism with the objective of achieving enhanced trade and commercial relations, as well as to better balance the trade between the two countries.
- It acknowledged that India and China were not 'adversaries' but two large economic powers open to a healthy competition in a multipolar world.

BRICS Summit, 2019 -

- Prime Minister Narendra Modi held bilateral discussions with Chinese President Xi Jinping on November 13, 2019, on the sidelines of the 11th BRICS Summit in Brazil.
- Xi Jinping invited PM Modi to China for the third informal summit between the two nations in 2020.

Way Forward:

- There should be continued engagement, both bilaterally and in multilateral forums such as BRICS, SCO and the Russia-India-China trilateral, in order to maintain overall stability, deepen economic ties, and foster diplomatic cooperation on regional and international issues.
- The need of the hour is realising that the 'strategic partnership' could serve both and help Asia emerge as the core of the world economy.
- The dream of 'India-China Millennium of Exceptional Synergies' that our Prime Minister envisions, however, needs magnanimity and willingness on the part of both the nations.

3. India - Pakistan border:

- This is spread across extreme climatic conditions given that the boundary runs from the hot Thar Desert in Rajasthan to the cold Himalayas in Jammu and Kashmir.
- India shares a 3323 km long and complicated boundary with Pakistan. The India-Pakistan boundary is categorized under three different heads.
 - The first is the international boundary, also known as the 'Radcliffe line'. It is 2308 km long and stretches from Gujarat to parts of the Jammu district in Jammu and Kashmir guarded by Border Security Force (BSF).
 - The second is the line of control (LoC), or the Cease Fire Line, which came into existence after the 1948 and 1971 wars between India and Pakistan. This line is 776 km long and runs along with the districts of Jammu (some parts), Rajouri, Poonch, Baramulla, Kupwara, Kargil and some portions of Leh.
 - And the third is the actual ground position line (AGPL), which is 110 km long and extends from NJ 9842 to Indira Col in the North (Siachen Glacier).
- In the 1990s, India began to fence this massive, border and by 2011 almost all of the border fencing – along J&K, Punjab, Rajasthan, and Gujarat – was completed.

Issues:

- **Infiltration and Cross-border terrorism:** targeted to destabilize India. Apart from this, anti-India Jihadist Groups are in collusion with Pakistan Armed forces who constantly try to push terrorists to the

Indian Side of LOC. For this, there has been occasional indiscriminate firing from the Pakistani side in which Soldiers and citizens get killed.

- **Geographical difficulties:** Diverse terrain including desert, marshes, snow-capped mountains and plains makes border guarding difficult.
- **Border dispute:** At Sir Creek and Kashmir. Sir Creek is a 96 km tidal estuary on the border of India and Pakistan which opens up into the Arabian Sea, & divides the Gujarat state of India from Sindh province of Pakistan.
 - Pakistan claims the entire Sir Creek based on a 1914 agreement signed between the government of Sindh and rulers of Kutch.
 - India claims that the boundary lies mid-channel, as depicted in a map in 1925 and implemented with pillars placed to mark the boundary.
 - If one country agrees to the other's traditional position, then the former will end up losing a vast amount of Exclusive Economic Zone (EEZ) rich with gas and mineral deposits.

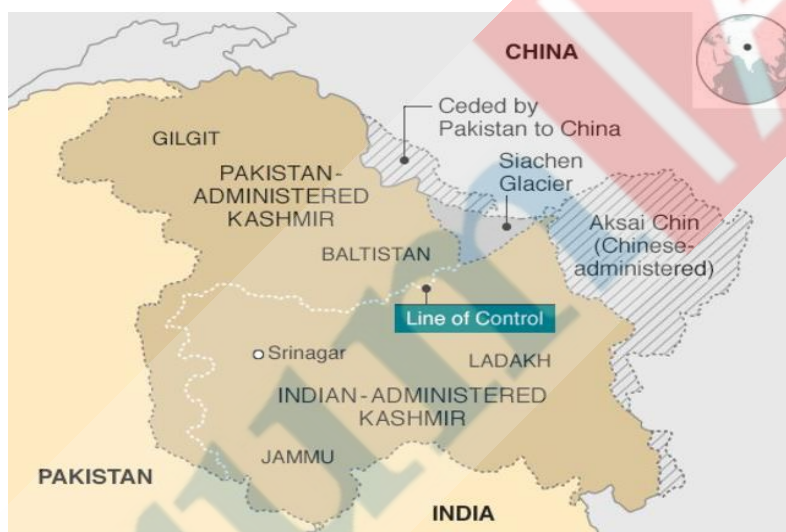


Fig. Kashmir Dispute

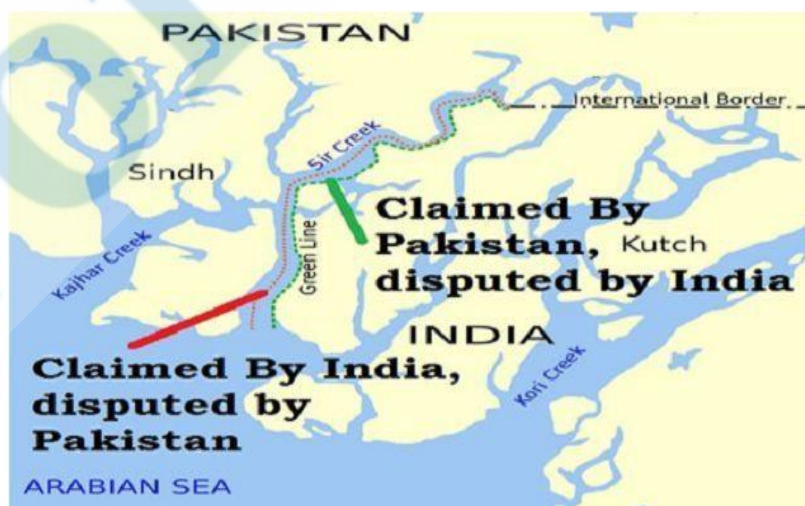


Fig. Sir Creek Dispute

- **Siachen dispute:** It is a direct result of the ambiguity that exists in the Karachi ceasefire agreement of July 1949. The agreement, which established the ceasefire line, the positions of the two militaries at the end of the 1947-1948 war, did not delineate beyond grid reference NJ 9842, which falls south of the Siachen glacier, to the Chinese border but left it as “Chalunka (on the Shyok River), Khor, thence North to the glaciers”.



Fig. Siachen Glacier

- **River water sharing issue:** At Indus river and its tributaries. Indus Waters Treaty, brokered by the World Bank, was signed by the then-Indian Prime Minister Jawaharlal Nehru and Pakistani President Ayub Khan in 1960, administers how Indus River and its tributaries would be utilized.
 - Under the treaty, India has control over water flowing in the eastern rivers– Beas, Ravi and Sutlej. Pakistan has control over the western rivers– Indus, Chenab and Jhelum.
 - It was brokered by the World Bank (International Bank for Reconstruction and Development).
 - The political situation between India and Pakistan is affecting the performance of the treaty.
 - To utilize the waters of the Eastern rivers which have been allocated to India for exclusive use, India has constructed following dams:
 - Bhakra Dam on Satluj,
 - Pong and Pandoh Dam on Beas and
 - Thein (Ranjit Sagar) on Ravi.

- **Smuggling and Trafficking:** Other issues include drug smuggling, fake currency, arms trafficking. Despite fencing, smuggling, mainly of Heroine is rampant at the border of Punjab. It happens because villagers at both sides of the border are an accomplice to such activities.

Initiatives:

- **Various Summits:** There have been numerous attempts to improve the relationship—notably, the Shimla summit (1972), Lahore summit (1998), and the Agra summit (2001).
 - **Simla Agreement** followed from the Bangladesh Liberation War in 1971 that led to the independence of Bangladesh. It conceived the steps to be taken for further normalisation of mutual relations and it also laid down the principles that should govern their future relations.
 - The **Lahore Declaration** after Lahore Summit (1998) brought added responsibility to both nations' leadership towards avoiding nuclear race, as well as both non-conventional and conventional conflicts.
 - In the **Agra summit**, the proposal was made to drastically reduce nuclear arsenals, and other issues involving the Kashmir dispute, and cross-border terrorism. However, the negotiations broke down and the process was collapsed so the Agra treaty was never signed
 - Since the early 1980s, relations between the two nations soured particularly after the Siachen conflict, the intensification of Kashmir insurgency in 1989, Indian and Pakistani nuclear tests in 1998 and the 1999 Kargil war.
- **Confidence-building measures** — such as the 2003 ceasefire agreement and the Delhi–Lahore Bus service started in 1999, Kartarpur corridor in 2019— were successful in de-escalating tensions. However, these efforts have been impeded by periodic terrorist attacks.
- **Comprehensive Integrated Border Management System (CIBMS):** Following the Pathankot terrorist attack, MHA sanctioned the implementation of a **Comprehensive Integrated Border Management System (CIBMS)** to establish an integrated security system at borders providing all-round security even in adverse climatic conditions.
 - The CIBMS is designed to guard stretches where physical surveillance is not possible either due to inhospitable terrain or riverine borders.
 - CIBMS uses a number of different devices for surveillance, communication and data storage. Sensors like Thermal Imager, UGS, Fiber Optical Sensors, Radar, Sonar have been mounted on different platforms like Aerostat, tower, poles, etc.
- **Smart fence project:** India's first 'smart fence' pilot project has been launched along the 5.5 km stretch on the India-Pakistan International Border in Ploura, Jammu and Kashmir.
 - The smart border fencing projects built under the Comprehensive Integrated Border Management System (CIBMS) program is the first of its kind in the country.
 - The stretch along the International Border has got a Hitech surveillance system that would create an invisible electronic barrier on land, water and even in the air and underground and would help the BSF detect and foil infiltration bids in most difficult terrains.
- **National Security Guard (NSG) commandos in J&K:** The center has decided to deploy Indian special forces unit National Security Guard (NSG) commandos in J&K to fortify counter-terror operations by training J&K police and other paramilitary forces in-room intervention, anti-terror skills, overseeing anti-hijack operations, etc.

- **Bureaucratic engagement and Backchannel talks:** In the current scenario, government strategy becomes critically dependent on opening a back channel to Pakistan. Eg. Director General of Military Operations (DGMO) level talks between the two countries. The sooner the backchannel diplomacy begins the better. Without back-channel diplomacy, the prospects for a 'constructive engagement' with Pakistan look rather bleak.

Recent Developments:

Kartarpur Corridor - As part of celebrations of 550th birth anniversary of Guru Nanak Dev Ji, India and Pakistan inaugurated Kartarpur Corridor for Shri Darbar Sahib on 9 November 2019.

- The Kartarpur corridor connects the Darbar Sahib Gurdwara in Narowal district of Pakistan with the Dera Baba Nanak shrine in Gurdaspur district in India's Punjab province.
- The agreement will facilitate visa-free movement of Indian pilgrims who would just need a permit to cross over to Pakistan.
- The Integrated Check Post (ICP) of Kartarpur Corridor at Dera Baba Nanak, Gurdaspur in Punjab has been inaugurated.

Indus Water Treaty, 1960 - India has decided to **stop its share of water** which earlier used to flow to Pakistan after the Pulwama terrorist attacks that took place in 2019. To stop the flow of these waters that belong to India for its utilization in India, following steps have been taken:

- **Shahpurkandi Project:** This project will help in utilizing the waters coming out from powerhouse of Thein dam for irrigation and power generation in J&K and Punjab. The construction work is being undertaken by the Govt of Punjab under monitoring done by Govt of India.
- **Construction of Ujh multipurpose project:** This project will create a storage of water on river Ujh, a tributary of Ravi for irrigation and power generation in India.
- **The 2nd Ravi Beas link below Ujh:** This project is being planned to tap excess water flowing down to Pakistan through river Ravi, even after construction of Thein Dam, by constructing a barrage across river Ravi for diverting water through a tunnel link to Beas basin. Govt. of India declared this project as National Project.

Kishanganga and Ratle Hydropower projects:

- Pakistan had opposed the construction of the Kishanganga (Jhelum River) and Ratle (Chenab River) hydroelectric power plants built by India in Jammu and Kashmir.
- But World Bank has allowed India to construct Kishanganga, Ratle hydroelectric power facilities on tributaries of the Jhelum and Chenab rivers with certain restrictions under the 1960 Indus Waters Treaty (IWT).

Way Forward:

- **Economic interdependence:** through bilateral trade will help in easing out the tensions at the cross border arising out of unemployment, poverty and low living conditions, as bilateral trade brings more employment opportunities and prosperity in the region.
- **Cultural similarities:** between both the nations due to shared history of over 2000 years can be translated into deepening diplomatic engagements.

- **International Organizations:** can be used for building pressure over Pakistan for carrying out anti-terrorist activities like Pakistan's inclusion on the FATF Grey list makes it harder for its government to access international markets at a time when its economy is weakening.
- **India's diplomatic engagement:** with other South Asian countries and Western powers like USA will help India in creating pressure over Pakistan, for curbing its funding to terrorist activities and bringing an end to the influence of non-state actors in its politics.
 - **Cricket diplomacy** as India can ask its Cricket Board to expand the T20 league to include clubs from three Pakistan cities such as Islamabad, Lahore and Karachi.
 - Entertainment sector of India has been liked in Pakistan so that can be used as a measure to improve relations.

4. India - Nepal border:

- India and Nepal have shared an open border since 1950. The conception of such a border can be found in the **Treaty of Peace and Friendship, 1950** that the two countries signed, wherein citizens of both countries are given equal rights in matters of residence, acquisition of property, employment and movement in each other's territory.
- The two countries not only share an open border and unhindered movement of people, but they also have close bonds through cross border marriages and familial ties among people.
- Nepal shares a border of 1850 km with 5 Indian states- Uttarakhand, Uttar Pradesh, West Bengal, Sikkim, and Bihar. While open border has been a great facilitator of strong and unique bilateral relations, at the same time, it has given rise to many irritants and problems that raise serious concerns.

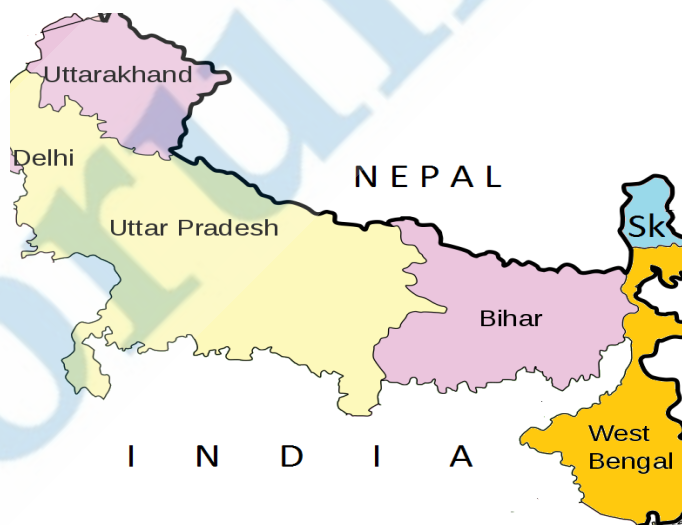


Fig. India- Nepal border

Issues:

- **Extremism and anti-India activities:** The problem is aggravated by intelligence inputs that Pakistani Inter-Services Intelligence (ISI) has been using Nepalese territory to carry out anti-India activities since the 1990s. WikiLeaks documents have revealed that the ISI has created a number of terrorist fronts in Nepal and has also pushed in men and explosives through the border to carry out terror attacks in India.

- **Kalapani Issue:** In the latest map, India included *Kalapani into the Pithoragarh district of Uttarakhand*. River Mahakali, earlier known as river Kali, flows through Kalapani, which is situated on the eastern bank of the river. Kalapani is also a tri-junction point, where the Indian, Nepalese and Tibetan (Chinese) borders meet.
 - The region has been manned by the Indo-Tibetan Border Police since 1962.
 - Nepal government claims that Kalapani is an integral part of their country and that talks are still on between New Delhi and Kathmandu over this “unresolved” area.



Fig. Kalapani dispute

- **River disputes:** India and Nepal have traditionally disagreed over the interpretation of the Sugauli Treaty signed in 1816 between the British East India Company and Nepal, which delimited the boundary along the Maha Kali River in Nepal. India and Nepal have also had disputes over the **issue of compensation** of the Kosi dam.
- **Madhesi issue:** A new constitution was promulgated in Nepal in 2015. It gave extensive political privileges to the ruling hill tribes and discriminated against the people living in the plains including Madhesis (the residents around the Terai region) that led to 2 months long blockade on India-Nepal border. Nepal accused India for this blockade.
- **Ideological issues:** Nepal is growing its proximity to China as it has joined Belt and Road Initiative (BRI).
 - Nepal’s Maoists groups provide ideological support to Indian Maoist groups. So, there is fear of spread of Maoist insurgency in India as they support such activities.
- **Easy escape & illegal activities** - Insurgents, terrorists, many hard-core criminals pursued by Indian and Nepalese security forces escape across the open border. These anti-national elements indulge in illegal activities, such as smuggling of essential items and **fake Indian currency**, gun-running, and **drugs and human and animal trafficking**.
- **Other issues:** Disputed border at times lead to land grabbing on each side.

Initiatives:

- **Sashastra Seema Bal (SSB):** In order to check anti-national activities on the India-Nepal border which is the open and absorbent border and to improve the security along this border, battalions of Sashastra Seema Bal (SSB) have been deployed as the Border Guarding Force (BGF) on this border. **Establishment**

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

- **Bilateral mechanisms:** In the form of Home Secretary-level talks and Joint Working Group at the level of Joint Secretaries exist between the two countries.
 - **High level political visits** such as there was a visit to India by Nepal PM in April 2018 and Indian PM visited Nepal in May 2018.
- **Border District Coordination Committee:** Additionally, there is a mechanism of Border District Coordination Committee Meetings between the district officials of the two nations.
- **Border Out Posts (BOPs):** 669 BOPs have been established on the Indo-Nepal border. These mechanisms serve as platforms for discussing issues of mutual concern like containing cross-border crimes, smuggling, and the situation arising out of terrorist activities, at national and regional/local levels correspondingly.
- **Integrated Check-Post (ICP):** India is nearing completion of the Integrated Check-Post (ICP) at Jogbani (Bihar)-Biratnagar border gate with Nepal. This is the second ICP on Nepal border after Raxaul-Birgunj.
- **Infrastructure development:** The Government of India has approved the construction of 1377 km of roads along the Nepal border. Development aid to Nepal to prevent human trafficking owing to a lack of employment opportunities there.

Recent Development:

- **Kalapani issue** - Nepal Prime Minister KP Oli claimed that the Kalapani area at the tri-junction of Nepal, India and Tibet belongs to Nepal, and that India should “immediately withdraw” its Army from there.
- **Oil Pipeline** - India and Nepal on Tuesday inaugurated a cross-border oil pipeline, which will transport fuel to the landlocked country. The 69km pipeline will transport fuel from the Barauni refinery in Bihar to Amlekhgunj in south-east Nepal and is the first cross-border petroleum products pipeline in South Asia.

Way Forward:

- India must respect Nepal’s sovereignty; mutual respect is a key in bilateral relations; and India should not meddle in the internal political affairs of Nepal.
- Both the countries are affected due to the misuse of open border by internal and external forces, the responsibility of border management and regulation depends on both.
- With its immense strategic relevance in the Indian context as Indian security concern, stable and secure Nepal is one requisite which India can’t afford to overlook.
- India’s engagement with Nepal tends to be episodic and crisis-driven, and not backed by the human and material resources that our neighbor deserves.
- India should counter Chinese hard power by projecting soft power. In contrast to China’s efforts to muscle its way into Nepal, India should emphasize on its historically close cultural, religious, and people-to-people relations with Nepal.

5. India - Myanmar border:

- India and Myanmar share a long 1,643 km geographical land border and maritime boundary in the Bay of Bengal. Assam Rifles has been deployed for counter-insurgency and border to guard this border. Myanmar shares borders with 4 Indian states – Mizoram, Manipur, Nagaland and Arunachal Pradesh in Northeast India.
- Frontiers of British India and Myanmar came together for the first time in 1826 after the British won the 1st Anglo Burmese war. By Government of India Act, 1935, Burma was severed off from India. After Independence, the boundary was demarcated in 1967 under an agreement signed by both countries. Though the boundary is properly demarcated, there are a few pockets that are disputed.

Issues:

- **Easy movement across border:** Since the inception of insurgency in the Northeast in the 1950s, the Naga, Mizo, Meitei, and Assamese insurgents have been crossing over into Myanmar to set up bases, especially in the Chin State and Sagaing Region, where they rest, recoup, train, plan and launch future offensives, and take shelter when pursued by the Indian security forces.
- **Arms and weapons trafficking:** The Indian insurgent groups have been procuring arms from the black markets of Southeast Asia as well as from Myanmar-based rebel groups.
- **Narcotics and the ‘Golden Triangle’:** The location of the boundary at the edge of the “Drugs golden triangle” facilitates the unrestricted illegal flows of drugs into Indian territory.
 - The **Golden Triangle** is the area where the borders of Thailand, Laos, and Myanmar meet at the confluence of the Ruak and Mekong rivers.
 - Myanmar is the world's second largest producer of illicit opium, after Afghanistan and has been a significant cog in the transnational drug trade
 - Heroin is the main item of drug trafficking. The bulk of heroin enters India through the border town of Moreh in Manipur.
- **Free Movement Regime (FMR):** The FMR permits the tribes residing along the border to travel 16-km across the boundary without visa restrictions.
 - While India allows Myanmarese nationals to stay 72 hours without a visa, Myanmar allows stay of only 24 hours. To resolve this discrepancy, parallel discussions between the two governments have been going on.
 - While the FMR has helped the tribes continue to maintain their age-old ties, it has also become a cause of concern for the security establishment as its provisions are exploited by the Indian insurgents to cross over to Myanmar unrestricted and establish safe havens.
- **Tough Terrain:** High mountains, deep river channels together with lush forest characterize the borderland. Such a terrain does not lend itself easily to the construction of means of transportation and communication. Absence of roads, communication links and other border guarding infrastructure also adversely affect policing as they hamper the easy and rapid movement of the border guarding forces along the border. There are cases of river shifting because of climatic conditions.
- **Humanitarian issues:** Illegal migration of Rohingyas into Indian territory who are fleeing because of ethnic cleansing in Myanmar is leading to ethnic clashes with local communities and scarcity of resources.

- **Poor Infrastructural facilities:** At Moreh and Zokhawatar – the two designated points for normal trade and border trade. **Weak borders** as there is practically no physical barrier along the border either in the form of fences or border outposts and roads to ensure strict vigil.

Initiatives:

- **Integrated Check Posts (ICPs):** Cabinet recently proposed to set up 13 new Integrated Check Posts (ICPs) to encourage India's engagement with SAARC countries along with Thailand and Myanmar. ICP is able to interdict such elements while facilitating legitimate trade and commerce.
- **Assam Rifles (AR):** The Assam Rifles, which is the designated border guarding force for the India-Myanmar border, deploy only 15 battalions out of 46 battalions for border guarding purposes and the rest are engaged in counter-insurgency operations.
- **Infrastructure development:** The Union environment ministry has given a "general approval" for the diversion of forest land for major border infrastructure projects within a 16-km aerial distance of the border with Bhutan and Myanmar.
- **Surgical Strikes:** The militants took advantage of the free border to enter India and carry out the attack. In 2015, militants belonging to the National Socialist Council of Nagaland-Khaplang (NSCN-K) killed 18 Army personnel in Chandel district of Manipur, following which the Indian Army carried out an operation in bordering areas of Myanmar to destroy the extremist camps.
- **Operation Sunrise, 2019:** The Indian Army with collaboration of Myanmar Army targeted members of the Arakan Army, an insurgent group in Myanmar. The Arakan army were opposed to the Kaladan multi-modal transit transport project. The project seeks to connect Kolkata to Sittwe port (Rakhine, Myanmar) by sea from there to Paletwa through river Kaladan and finally to Zorinpui at Mizoram border by road.
- **Mekong-Ganga Cooperation (MGC):** is a sub-regional cooperation organisation comprising India and five ASEAN countries, namely, Cambodia, Laos, Myanmar, Thailand and Vietnam.
 - MGC was launched in 2000 at Laos capital, Vientiane. MGC takes its name from the Ganga and the Mekong, the two civilisational rivers in Southeast Asia.
 - The MGC aims at facilitating closer contacts among the people inhabiting these two major river basins and enhancing cooperation in tourism, culture, education, transport and communications.
- **Fencing:** The ongoing activity of fence construction along the Indo- Myanmar has triggered apprehensions among the people living on either side of the border.
- **Multilateral Partnership:** Myanmar's membership of ASEAN, BIMSTEC and Mekong Ganga Cooperation has introduced a regional/sub-regional dimension to bilateral relations and imparted added significance in the context of our "Act East" policy.

Recent Developments:

- **Operation Sunrise 2** is a coordinated operation by armies of India and Myanmar that took place between May 16 and June 8, 2019. It was a three-week-long operation carried out in their respective border areas, targeting several militant groups operating in Manipur, Nagaland and Assam.
- **Land Crossing Agreement, 2018:** The central government has asked the four states Arunachal Pradesh, Nagaland, Manipur and Mizoram that share unfenced borders with Myanmar to distribute "border passes" to all residents living within 16 km of the boundary line. Border pass as an instrument

will ensure monitoring of movement of people around 16kms of border.

Way Forward:

- **Use of regional forums:** Forums like BIMSTEC can be used to discuss issues like illegal migration from neighbouring countries and garnering support and coordination from the members.
- **Bilateral talks:** India should seek to engage with Myanmar to find a resolution to the current humanitarian crisis.
- Both the countries are affected due to the misuse of open border by internal and external forces, the responsibility of border management and regulation depends on both.
- Enhancing economic partnership with Myanmar needs to be a priority in India's Act East Policy which will benefit New Delhi in enhancing ties with Southeast Asia.

6. India - Bhutan border:

- India shares a 699 Km long border with Bhutan along Sikkim, West Bengal, Assam, and Arunachal Pradesh guarded by Sashastra Seema Bal (SSB).
- The basis for bilateral relations between India and Bhutan was formed by the Indo-Bhutan Treaty of Peace and Friendship of 1949. However, Article 2 of the treaty critically gave India a role in guiding Bhutan's foreign policy. Hence, some changes in the treaty were made in 2007.
- The new treaty says that Bhutan can import arms from other countries without consulting with India, as long as Indian interests are not harmed and there is no re-export of the weapons, either by the government or individuals.
- The boundary is demarcated except along the tri-junction with China. The process of demarcation of the India-Bhutan border started in 1961 and was completed in 2006.
- Like with Nepal, India's boundary with Bhutan is also an open boundary. The border was peaceful till Indian insurgent groups established camps in the southern districts of Bhutan.

Issues:

- **Insurgency:** Many groups such as Bodo, ULFA, etc. sneak into Bhutan for sanctuary despite their army driving them out.
- **Smuggling of goods:** Bhutanese cannabis, liquor, and forest products are major items smuggled into India. Livestock, grocery items and fruits are smuggled out of India to Bhutan.
- **Free movement of people and vehicles:** leading to issues such as during the Gorkhaland movement in West Bengal when Bhutanese people supported the movement as they have cultural ties with Gorkhas. Gorkhaland consists of Nepali-speaking people of Darjeeling, Kalimpong, Kurseong and other hilly districts of West-Bengal.
 - Migration in each other's countries triggers fear of change in demography. Migrants are also accused of deforestation, poaching, and wildlife smuggling.
- **Border disputes:** such as the recent Doklam standoff issue which is dangerously close to **Chicken's neck in Sikkim** thereby compromising India's sovereignty

Initiatives:

- **Bilateral cooperation** - A Secretary-level bilateral mechanism in the shape of an Indian- Bhutan Group on Border Management and Security is there. This mechanism is useful in assessing threat perception to the two countries from groups attempting to take advantage of this open border and in discussing ways to improve the security environment in the border areas.
- **Border District Coordination Meeting (BDCM) Mechanism:** between the bordering States and the Royal Government of Bhutan (RGoB) to facilitate coordination on border management and other related matters.
- **New Border Out Posts:** Establishing new border posts in Sikkim along the Bhutan frontier near Doklam along with deployment of 1000 more troops. **Cooperation with their army** to prevent sanctuary to insurgents in their soil.
- **Operation All Clear (2003-04):** The Royal Bhutan Army conducted cross-border operations on Bhutanese soil between December 2003 and January 2004 to eliminate militants based in South Bhutan. The Indian Army deployed 12 battalions along the Bhutan border to prevent rebels from entering the Indian territory.
- **Political visits:** Bhutan was the first country Indian PM visited after taking office in 2014, a reflection of the priority accorded to it by New Delhi. After winning the 2019 elections, PM invited leaders of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation, a South and Southeast Asian economic grouping, for his swearing in ceremony.
- To increase the security environment along this border, 53 battalions of Sahastra Seema Bal (SSB) have been deployed as the Border Guarding Force on this border.

Recent Developments:

Indian Prime Minister's visit to Thimphu in August, 2019 - It was his first to Bhutan since the China-India military face-off in 2017, triggered by an *intrusion by Chinese troops* into territory claimed by Bhutan.

- PM inaugurated the 720 megawatts (MW) Mangdechhu hydropower project, which underlined the government's "neighbourhood first" policy, as well as India's "special relationship" with the strategically located country.
- India Bhutan jointly inaugurated the Ground Earth Station and SATCOM network, developed with assistance from ISRO for utilization of South Asia Satellite in Bhutan.

Way Forward:

- New Delhi will have to remain alert to strategic powers which are courting Bhutan assiduously, as is evident from the high-level visits from China and the U.S.
- Safety of Border from China is a concern for both nations. Therefore, both sides need to work together on this issue. Also, it needs to be ensured that border areas remain militants free.
- From internal security perspective, illicit establishment of camps by militant outfits in the dense jungles of south-east Bhutan is a cause of concern for both the nations that needs to be tackled.

WAY FORWARD FOR BORDER MANAGEMENT:

- **No diversion of security forces:** The border-guarding force should not be distracted from its principal task and deployed for other internal security duties. For eg-ITBP, a force specifically trained for India-China border should not be used in the naxalite-infested areas.
- **Involvement of army:** It is felt that the responsibility for unsettled and disputed borders, such as the LoC in J&K and the LAC on the Indo-Tibetan border, should be that of the Indian Army while the BSF should be responsible for all settled borders.
- **Community Participation:** As local population is more aware of day to day happenings, so they shall be more involved with security forces.
- **Use of satellites:** The potential threat from smaller rogue boats is likely to be addressed through a satellite-guided friend or foe identification system of the Indian Space Research Organisation with a two-way messaging system in all local languages.
- **Inter- Agency coordination:** Better sharing of intelligence and information among different agencies such as RAW, IB, Army, Coastal Police, Navy, etc.
- **Faster Modernization:** Delays in procuring weapons should be avoided. Also, Defence Ministry should promote Make in India in manufacturing weapons and equipments.

COASTAL SECURITY:

- India's **7,516-kilometre-long coastline** includes 5,422 kilometres of coastline on the mainland and 2,094 kilometres on the islands.
- The coastline houses **13 major and more than 200 minor ports**, along with 95 landing centres, and is increasingly facing security challenges from adversarial neighbours and non-state actors.

Security concerns:

- **Maritime terrorism:** hijacking and attacking ships, taking hostages, sabotaging pipelines, and attacking cities and strategic installations like naval bases and petrochemical storages.
 - **Attacks on commercial centres** such as the 26/11 terror strike in Mumbai in 2008 targeted two iconic hotels (the Taj Palace and Towers and the Oberoi Trident) and a Jewish centre (the Chabad House).
 - **Attacks on Ports and other strategic facilities:** ports handling large volumes of traffic especially oil and other goods and having a large population centre in its vicinity are most valued targets for the terrorists.
- **Piracy and armed robbery:** Smuggling of consumer and intermediate goods, narcotics, custom delays in importing goods etc. through sea routes.
- **Infiltration, illegal migration and refugee influx:** large scale refugee influxes over the decades have resulted in widespread **political turmoil** in the border states. For example-
 - The creek areas of **Gujarat** which has its geographical proximity to Pakistan and has complex terrain is conducive for infiltration.
 - Political turmoil, religious and political persecution, overwhelming poverty, and lack of opportunities in Sri Lanka and Bangladesh is an ideal situation for **illegal migration of Bangladeshi citizens** to India.

- **Sri-Lanka India fishing dispute:** Sri Lanka has long expressed concerns about illegal fishing by Indian fishermen within its territorial waters across the Palk Strait.
 - The country regularly arrests Indian fishermen for crossing the International Maritime Boundary Line (IMBL) that demarcates Indian and Sri Lankan waters. India also detains Sri Lankan fishermen for the illegal fishing.
 - **Katchatheevu** is an uninhabited island that India ceded to Sri Lanka in 1974 based on a conditional agreement called “Kachchativu island pact”. Later on, Sri Lanka declared Katchatheevu, a sacred land given the presence of a Catholic shrine.
 - The central government recognizes Sri Lanka’s sovereignty over the island as per the 1974 accord. But Tamil Nadu claimed that Katchatheevu falls under the Indian territory and Tamil fishermen have traditionally believed that it belongs to them and therefore want to preserve the right to fish there.
 - The ceding of the island exacerbated the tension between the fishermen practicing traditional fishing and those using huge modern mechanised trawlers.
 - In order to prevent the conflict, Tamil Nadu government enacted the **Tamil Nadu Marine Fisheries Regulation Act in 1983**, which required that trawlers or mechanised boats should not catch fish within three nautical miles from the coast.
 - It also stipulated that the three-nautical-mile area would exclusively be reserved for artisanal fishermen (those who practice the trade in a traditional or non-mechanized way).



Fig. India Sri Lanka fishing dispute

- **Sir Creek fishing dispute with Pak:** Most trespassing is common to Pakistani and Indian fishermen operating along the coastline of the Indian state of Gujarat and the Pakistani province of Sindh.
 - Most violations occur due to the absence of a physical boundary between the nations. The problem is aggravated by the dispute over the Sir Creek in Kutch and the failure to officially determine the maritime boundary between the two nations.
 - The Indian government has undertaken a census of fishermen, preparing a database of information on fishermen and their boats to be used for more effective monitoring of fishing activities.

Government Initiatives:

1. **National Committee for Strengthening Maritime and Coastal Security:** headed by Cabinet Secretary coordinates all matters related to Maritime and Coastal Security and periodically reviews coastal security against threats from the sea with all stakeholders.
2. **Three-tier security:** At present, there is a three-tier security for the coastal states of the country.
 - a. Indian Navy: Beyond 200 Nautical Miles (NM)
 - b. Indian Coast Guard: 12 to 200 NM
 - c. State Marine Police: Up to 12NM from shore
3. **Coastal security scheme (CSS):** Phase-I of the CSS was implemented in nine coastal States and four coastal Union Territories during the period from 2005-2011 and Phase-II of CSS duration is 2010 to 2020. Its features are:
 - a. **Patrolling** by setting up Coastal Police Stations (CPSs), coastal check posts, Marine Operation centres and **Jetties** for berthing and maintenance of boats/interceptor boats at strategic locations.
 - b. **Surveillance** through Modern technical measures such as Automatic Identification System (AIS) receivers and a chain of overlapping coastal radars.
 - c. Setting up of **Joint operations centres** by the Indian Navy as command and control hubs for coastal security at Mumbai, Visakhapatnam, Kochi and Port Blair.
 - d. Setting up of **Marine Police Training Institutes (MPTIs)** to improve shortage of Technical Manpower and lack of training facilities.
4. **Indian Maritime Security Strategy (IMSS) 2015 of Indian Navy:** It envisages greater coordination between different maritime agencies;
 - a. securing Indian Ocean sea lines of communication (SLOCs);
 - b. Maritime Security Operations for contemporary assessments of maritime terrorism, piracy etc.;
 - c. multilateral maritime engagement, local capacity building, technical cooperation etc.
5. **Enhance Maritime Domain Awareness:** through **National Command Control Communication and Intelligence Network (NC3I)**, an overarching coastal security network which collates and disseminates data about all ships, dhows, fishing boats and all other vessels operating near the coast.
6. **Activities in maritime zones are now more regulated:**
 - a. Multi-purpose ID issued to all fishermen, sea-ferrying services and coastal villages
 - b. Uniform licensing of fishing boats
 - c. GPS and transponders for tracking
7. **Information Management & Analysis Centre (IMAC):** Commissioning of Information Management & Analysis Centre (IMAC) in Gurugram for easy collection and dissemination of shipping data for increased awareness.
 - a. The Navy established the Information Fusion Centre for the Indian Ocean Region (IFC-IOR) at IMAC for 24/7 regional information sharing on commercial shipping.
8. **Coastal Surveillance network project** - to provide near gapless electronic surveillance of the entire coastline and prevent the intrusion of undetected vessels. At any given time, the entire west coast is under continuous surveillance. More coastal radars are being installed as well to plug the small gaps in some places.
9. **Capacity building**-The Navy and Coast Guard have also provided periodic maritime training to marine police in all coastal states.

- a. **Indian Ocean Naval Symposium** to provide an open and inclusive forum for discussion of regionally relevant maritime issues.
 - b. The Indian navy is also required to raise a specialised force called the **Sagar Prahari Bal** for protecting its bases and adjacent vulnerable areas and vulnerable points.
10. **Exercise Sea Vigil:** In January, 2019 the Indian Navy and Coast Guard coordinated the largest coastal defence exercise - Exercise Sea Vigil off the Indian coast.
- a. It was simultaneously undertaken on the eastern and western coasts to check coastal safety measures put into place after the November 2008 Mumbai attacks.
11. **Central Marine Police Force (CMPF):** Recently, the Union Home minister approved a proposal to set up a Central Marine Police Force to protect sea, coasts, ports and vital institutions and investigate crimes committed in the coastal water.

Issues remaining in coastal security:

- **Shortage of manpower:** The marine police stations are not functioning effectively due to shortage of manpower and lack of interceptor boats. Defence minister Nirmala Sitharaman informed the Lok Sabha that the Navy faces a 20.68% shortage of sailors. The Army is not much better, and faces a 15.38% shortage of officers.
- **Inadequate training for marine police:** Though marine police is tasked with overall coastal security but they are not trained for counterterrorism. Recently, the government has ordered the closure of an ambitious project to set up the country's first academy to train police forces in coastal security, because of financial constraints.
- **Lack of a cooperative mechanism:** Many agencies like Navy, Coast Guard, Marine Police and other authorities are tasked with coastal security. Hence the information sharing and coordination among them is a major problem.
- **Inadequate mechanisms at state level:** There is below par state-level monitoring mechanisms. Also substituting state-controlled marine police with a central force ignores structural impediments, such as the lack of local intelligence and regional language skills as well as turf wars between the two.
- **Inadequate patrolling:** A cumulative shortfall (over 90 percent) in the patrolling efforts, especially at night and decline in physical checks on fishing vessels by the Coastal Police.

WAY FORWARD:

- **Stronger involvement of coastal police:** State police agencies may be integrated in the detection and capture of criminals at sea leveraging their unique access to fishermen and local communities, facilitating the flow of vital human intelligence.
- **Need for a legislative framework:** Comprehensive legislations must be enacted to place systems and processes for the protection of India's maritime infrastructure, covering both the shipping and port sectors.
- **Strengthening of the Coast Guard (CG):** The CG must be strengthened by removing all ambiguities from the Coast Guard Act. There should be a clear command chain and defined standard operating procedures with reference to coastal security.
- **National Commercial Maritime Security Policy Document:** The government must promulgate a National Commercial Maritime Security Policy Document, to articulate its strategic vision for Commercial maritime security.

- **Security exercises:** Coastal security exercises like sagar kavach and sea vigil needs to be conducted regularly, in order to generate awareness about threats emanating from the sea as well as to develop synergies among the concerned agencies.



11. SECURITY FORCES & AGENCIES AND THEIR MANDATE

<p>CONTENTS:</p> <p>Paramilitary Forces</p> <ol style="list-style-type: none"> 1. AR 2. SFF 3. ICG <p>Central Armed Police Forces</p> <ol style="list-style-type: none"> 1. BSF 2. CRPF and RAF 3. CISF 4. ITBP 5. SSB <p>Central Intelligence Agencies</p> <ol style="list-style-type: none"> 1. IB 2. RAW 3. NCB 4. NCRB 5. CBI 6. NATGRID 7. NIA <p>Other Organisations in News</p> <ol style="list-style-type: none"> 1. National Security Advisor (NSA) 2. National Security Guards (NSG) 	<p>SYLLABUS:</p> <p>GS III: Internal Security - Various Security forces in India</p>
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PARAMILITARY FORCES: A paramilitary is a semi-militarized force whose organizational structure, tactics, training, subculture, and (often) function are similar to those of a professional military, but is not formally part of a country's armed forces. The term "paramilitary forces" in India has not been defined in any act of Parliament or by the authorities. Since 2011, the Government of India uses an unofficial definition that the Paramilitary forces are the ones that assist the military forces and are headed by Military officers, not by IPS officers.

1. Assam Rifles (AR):

- It is known as 'Friends of the Hill People' and 'Sentinels of the North-east', Assam Rifles, raised initially as Cachar Levy in 1835, is the oldest Police Force in the country with headquarters at Shillong.
- The Force has a dual role of maintaining internal security in the North Eastern region and guarding the Indo- Myanmar Border.
- There are currently 46 battalions of Assam Rifles under the control of the Indian Ministry of Home Affairs (MHA).
- They perform many roles including the provision of internal security under the control of the army through the conduct of counter insurgency and border security operations, provision of

aid to the civil power in times of emergency, and the provision of communications, medical assistance and education in remote areas.

- Role played by Assam Rifles during -
 - The 1962 Sino-Indian War they were used to delay the advancing Chinese forces so that the Indian Army could establish its defence lines.
 - Three battalions were deployed on Operation Pawan in Sri Lanka between December 1988 and February 1990.
- In times of war, they can also be used as a combat force to secure rear areas if needed.
- Recently, the Ministry of Home Affairs (MHA) proposed that the Assam Rifles should be merged with the Indo-Tibetan Border Police (ITBP). Currently, the Assam Rifles is under the administrative control of the Ministry of Home Affairs and operational control of the Army, i.e. the Ministry of Defence. This duality of administrative control and operational control leads to problems of coordination.

2. Special Frontier Force (SFF):

- It is based in Uttarakhand. SFF was the first special force of independent India. Special Frontier Force or Establishment 22 (pronounced Two-Two) was an outcome of the 1962 India-China War.
- Its main goal originally was to conduct covert operations behind Chinese lines in the event of another Sino-Indian War. In peacetime, they operate as a second line of defense in conjunction with the ITBP.
- This concealed special force operates under India's intelligence agency Research and Analysis Wing (RAW) and reports directly to the Prime Minister through the Directorate General of Security in the Cabinet Secretariat.

3. Indian Coast Guard (ICG):

- The Indian Coast Guard was established on the recommendations of KF Rustamji Committee (setup in 1974) on 18 August 1978, by the Coast Guard Act, 1978 of the Parliament of India as a sovereign Armed force of the country.
- It operates under the Ministry of Defence and is headquartered in New Delhi.
- It protects the country's maritime interests and maritime law enforcement with jurisdiction over both territorial and international waters. This includes both the contiguous zone and exclusive economic zone. It patrols the distance between the shore and 12 to 200 nautical miles.
- It is responsible for marine environment protection in maritime zones of India and is coordinating authority for response to oil spills in Indian waters.
- It works in close cooperation with the Indian Navy, Department of Revenue (Customs), Department of Fisheries, and the Central and State police forces.

CENTRAL ARMED POLICE FORCES (CAPFs):

Central Armed Police Forces were formerly referred to as Paramilitary Forces. From March 2011, the Ministry of Home Affairs adopted a uniform nomenclature of Central Armed Police Forces to avoid confusion. There are five Central Armed Police Forces under the Union Government, namely-

- Border Security Force (BSF),

- Central Reserve Police Force (CRPF),
- Central Industrial Security Force (CISF),
- Indo-Tibetan Border Police (ITBP), and
- Sashashtra Seema Bal (SSB).

1. Border Security Force (BSF):

- The Border Security Force (BSF) is the primary Border Guarding police force of India. It was raised in the wake of the 1965 War on 1st December 1965, "for ensuring the security of the borders of India and for matters connected therewith."
- Its operational responsibility is spread over 6385.36 km of international border along Indo-Pakistan and Indo-Bangladesh borders. BSF is also deployed on LoC in J&K under operational control of the Army.
- It currently stands as the world's largest border guarding force. BSF has been termed as the First Wall of Defence of Indian Territories.
- BSF is the only Central Armed Police force to have its own Air Wing, Marine Wing and artillery regiments, which support the General Duty Battalions in their operations.

2. Central Reserve Police Force (CRPF):

- Initially raised as Crown Representative Police on July 27, 1939, at Neemuch (MP), the Force was rechristened as Central Reserve Police Force (CRPF) after Independence.
- It functions under the aegis of the Ministry of Home Affairs (MHA).
- The Force is presently handling a wide range of duties covering law and order, counter-insurgency, anti-militancy, and anti-terrorism operations.
- The Force plays a key role in assisting States in maintaining public order and countering subversive activities of militant groups.
- The Central Reserve Police Force is the largest of India's Central Armed Police Forces.
- It is also operating abroad as part of United Nations peacekeeping missions.

Rapid Action Force (RAF):

- The Rapid Action Force (RAF) is a specialized wing of the CRPF.
- It was established in 1991 with headquarters in New Delhi, to deal with riots, riot-like situations, crowd control, rescue and relief operations, and related unrest.
- The personnel in RAF are trained and equipped to be an effective Strike Force in communal riots or similar situations.
- These Battalions are located at 15 communally sensitive locations across the country to facilitate quick response in case of such incidents in the following cities - New Delhi, Mumbai, Ahmedabad, Bhopal, Aligarh, Meerut, Hyderabad, Jamshedpur, Coimbatore, Allahabad, Varanasi, Hajipur (Bihar), Jaipur, Mangalore, Nuh (Haryana).

3. Central Industrial Security Force (CISF):

- Raised in the year 1969, CISF is presently providing security cover to important installations like space and atomic energy establishments, seaports, airports, coal mines, steel plants, thermal and hydel power plants, oil and petrochemicals installations, heavy industries, defence establishments, security presses, museums, and historical monuments.
- The specialized task of airport security was assigned to CISF in the wake of the hijacking of the Indian Airlines plane to Kandhar.
- The charter of CISF has been expanded to provide security cover to VIPs as well as to provide technical consultancy services relating to security and fire protection to industries in public and private sectors.
- After the Mumbai terrorist attack in November 2008, the mandate of the force has been broadened to provide direct security cover to the private sector also by amending the CISF Act.

4. Indo-Tibetan Border Police (ITBP):

- Indo-Tibetan Border Police Force was raised in the wake of the India China conflict in 1962 and is headquartered in New Delhi.
- ITBP is a mountain trained Force called “Himveer”.
- It is deployed from the north-western extremity of the Indo-China Border up to the tri-junction of India, China & Nepal covering mountainous terrains.
- Presently, battalions of ITBP are deployed on border guard duties from Karakoram Pass in Ladakh to Diphu La in Arunachal Pradesh, on the India-China border.
- ITBP plays an important role in organizing the annual Kailash Mansarovar Yatra besides providing assistance in disaster management in the central and western Himalayan regions. A new challenging role that has emerged for ITBP is disaster management as it is the first responder for natural disasters in the Himalayas.
- ITBP is at the forefront of the movement for the preservation of Himalayan environment & ecology. Being the only human presence on forward areas, it has taken on itself the task of maintaining the delicate balance of flora and fauna.
- ITBP conducts a large number of medical civic action programmes in remote border and terrorist affected areas to provide free and expert medical, health and hygiene care to the civilian population in remote villages.

5. Sashastra Seema Bal (SSB):

- Special Service Bureau (SSB) was set up in early 1963 in the wake of India China conflict of 1962 to build people’s morale and inculcate the spirit of resistance in the border population against threats of subversion, infiltration, and sabotage from across the border.
- However, the Force has now been rechristened Sashastra Seema Bal and its charter of duty has been amended. It has been given the border guarding responsibilities along the Indo-Nepal and Indo-Bhutan Borders.
- It serves as lead intelligence agency (LIA) for Indo-Nepal border and Indo-Bhutan border.
- It promotes a sense of security among the people living in the border area and prevents trans-border crimes, smuggling and other illegal activities and unauthorized entries into or exit from the territory of India.

CENTRAL INTELLIGENCE AGENCIES:**1. Intelligence Bureau (IB):**

- The Intelligence Bureau (IB) is India's internal intelligence agency. It was recast as the Central Intelligence Bureau in 1947 under the Ministry of Home Affairs.
- IB is used to garner intelligence from within India and also execute counter-intelligence and counter-terrorism tasks.
- In 1909, the Indian Political Intelligence Office was established in England in response to the development of Indian revolutionary activities, which came to be called the Indian Political Intelligence (IPI) from 1921. This was a state-run surveillance and monitoring agency. The IPI was run jointly by the India Office and the Government of India and reported jointly to the Secretary of the Public and Judicial Department of the India Office, and the Director of Intelligence Bureau (DIB) in India.

2. Research and Analysis Wing (RAW):

- Until 1968, the Intelligence Bureau (IB), which is responsible for India's internal intelligence, also handled external intelligence. But after India's miserable performance in a 1962 border war with China, the need for a separate external intelligence agency was clear.
- As a result, India established a dedicated external intelligence agency, the Research and Analysis Wing. Founded mainly to focus on China and Pakistan, over the last forty years the organization has expanded its mandate and is credited with greatly increasing India's influence abroad.
- Experts say RAW's powers and its role in India's foreign policy have varied under different prime ministers. RAW claims that it contributed to several foreign policy successes:
 1. the creation of Bangladesh in 1971;
 2. India's growing influence in Afghanistan;
 3. the northeast state of Sikkim's accession to India in 1975;
 4. the security of India's nuclear program;
 5. the success of African liberation movements during the Cold War.
- In 2004 Government of India added yet another signal intelligence agency called the National Technical Facilities Organisation (NTFO), which was later renamed as **National Technical Research Organisation (NTRO)**. It is believed to be functioning under the titular control of R&AW, although it remains autonomous to some degree. While the exact nature of the operations conducted by NTRO is classified, it is believed that it deals with research on imagery and communications using various platforms.

3. Narcotics Control Bureau (NCB):

- The Narcotics Control Bureau was created on 17 March 1986 to enable the full implementation of The Narcotic Drugs and Psychotropic Substances Act, 1985 and fight its violation through the Prevention of Illicit Trafficking in Narcotic Drugs and Psychotropic Substances Act, 1988.
- The law was established to fulfill India's treaty obligations under the Single Convention on Narcotic Drugs (1961), the Convention on Psychotropic Substances (1971), and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988).

- **NCB** is the nodal drug law enforcement and intelligence agency of India responsible for fighting drug trafficking and the abuse of illegal substances.

4. **National Crime Records Bureau (NCRB):**

- The National Crime Records Bureau, abbreviated to NCRB, is an Indian government agency responsible for collecting and analyzing crime data as defined by the Indian Penal Code (IPC).
- NCRB is headquartered in New Delhi and is a part of the Ministry of Home Affairs (MHA), Government of India.
- NCRB was set-up in 1986 to function as a repository of information on crime and criminals so as to assist the investigators in linking crime to the perpetrators.

5. **Central Bureau of Investigation (CBI):**

- The Central Bureau of Investigation traces its origin to the Special Police Establishment (SPE) which was set up in 1941 by the Government of India. The functions of the SPE then were to investigate cases of bribery and corruption in transactions with the War & Supply Department of India during World War II.
- Even after the end of the War, the need for a Central Government agency to investigate cases of bribery and corruption by Central Government employees was felt. The Delhi Special Police Establishment Act was therefore brought into force in 1946. SPE was renamed as Central Bureau of Investigation on 1st April, 1963.
- This Act transferred the superintendence of the SPE to the Home Department and its functions were enlarged to cover all departments of Govt. of India. The jurisdiction of the SPE extended to all the Union Territories and could be extended also to the States with the consent of the State Government concerned.
- The superintendence of CBI related to the investigation of offenses under the Prevention of Corruption Act, 1988 lies with the Central Vigilance Commission (CVC) and in other matters with the Department of Personnel & Training (DoPT) in the Ministry of Personnel, Pension & Grievances of the Government of India.

6. **National Intelligence Grid (NATGRID):**

- It was first proposed in the aftermath of the terrorist attacks on Mumbai in 2008.
- NATGRID is an intelligence-sharing network that collates data from the standalone databases of the various agencies and ministries of the Indian government.
- It is a counter-terrorism measure that collects and collates a host of information from government databases including tax and bank account details, credit card transactions, visa and immigration records and itineraries of rail and air travel.
- This combined data will be made available to 10 central agencies, which are: Research and Analysis Wing (RAW), the Intelligence Bureau (IB), Central Bureau of Investigation (CBI), Financial intelligence unit (FIU), Central Board of Direct Taxes (CBDT), Directorate of Revenue Intelligence (DRI), Enforcement Directorate (ED), Narcotics Control Bureau (NCB), Central Board of Excise and Customs (CBEC) and the Directorate General of Central Excise Intelligence (DGCEI).

- Recently, it was announced in the Lok Sabha that the ambitious National Intelligence Grid (NATGRID) project will begin by December 31, 2020.
- Initially, no state agencies will be given direct access to NATGRID data but in case any relevant information is required, they can approach NATGRID through any of 10 user agencies.

7. National Investigation Agencies (NIA):

- NIA was created after the 2008 Mumbai terror attacks as the need for a central agency to combat terrorism was realized.
- National Investigation Agency (NIA) acts as the Central Counter-Terrorism Law Enforcement Agency. The agency is empowered to deal with terror-related crimes across states without special permission from the states.
- Various Special Courts have been notified by the Central Government of India for the trial of the cases registered at various police stations of NIA under the NIA Act 2008.
- The NIA Special Courts are empowered with all the powers of the court of sessions under Code of Criminal Procedure, 1973 for the trial of any offense.

OTHER ORGANISATIONS IN NEWS:

1. NATIONAL SECURITY ADVISOR (NSA):

- The post of NSA was created in 1998 during the tenure of former PM Atal Bihari Vajpayee's government and has become increasingly influential and powerful over the years with the rise of India on the world stage.
- The NSA is the senior official on the National Security Council (NSC) of India, and the chief adviser to the Prime Minister of India on national and international security policy, and oversees strategic and sensitive issues on behalf of the Prime Minister.
- In December 1998, on the recommendations of the special task force headed by K.C. Pant, a three-tier structure was set up, consisting of:
 1. The National Security Council (NSC)
 2. Strategic Policy Group (SPG) and
 3. National Security Advisory Board (NSAB).
- The **National Security Council (NSC)** of India is a three-tiered organization that oversees political, economic, energy and security issues of strategic concern.
 - NSC is chaired by the Prime Minister and consisting of important members of his Cabinet directly concerned with national security issues and NSA is its Secretary.
- The **Strategic Policy Group (SPG)**, which is chaired by National Security Advisor (earlier chaired by Cabinet secretary), consists of serving senior officials responsible for policy-making and follow-up action in matters concerning national security plus the chiefs of the Army, the Navy and the Air Force and the Intelligence Bureau (IB) and the Research and Analysis Wing (R&AW), the external intelligence agency. Its main task is to make policy recommendations to the NSC.
- The first **National Security Advisory Board (NSAB)** was set up in 1998. It was the brainchild of the first National Security Advisor (NSA) Brajesh Mishra.

- Its principal objective is to undertake long-term analysis of and provide perspectives on issues of national security.
- The policy recommendations and options proposed by the NSAB are conveyed to the National Security Council for its consideration.

2. NATIONAL SECURITY GUARD (NSG):

- It was raised in 1984, following Operation Blue Star and the assassination of Indira Gandhi, “for combating terrorist activities with a view to protect states against internal disturbances”.
- The primary role of this Force is to combat terrorism in whatever form it may assume in areas where the activity of terrorists assumes serious proportions, and the State Police and other Central Police Forces cannot cope up with the situation.
- The NSG is trained to conduct counter terrorist task to including counter hijacking tasks on land, sea, and air; Bomb disposal (search, detection and neutralization of IEDs); PBI (Post Blast Investigation) and Hostage Rescue missions.
- The Force is not designed to undertake the functions of the State Police Forces or other ParaMilitary Forces of the Union of India.
- This Special Forces comes under the Ministry of Home affairs. They played a crucial role in countering the 26/11 Mumbai terrorist attacks.
- The NSG personnel are often referred to as ‘**Black Cats**’ because of the black outfit and black cat insignia worn on their uniform

12. BLACK MONEY AND MONEY LAUNDERING

<p>CONTENTS:</p> <ol style="list-style-type: none"> 1. Introduction 2. Black money in India 3. Challenges in handling black money 4. Sources of black money 5. Impacts of black money 6. Measures to tackle - Legislative, Administrative, Institutional 7. Way forward 8. Money laundering (ML) 9. Process of money laundering 10. Hawala transactions 11. Methods for money laundering 12. Combating money laundering 13. Institutional framework 14. Global efforts to combat ML 15. Challenges 16. Way forward 	<p>SYLLABUS:</p> <p>GS III: Internal Security - Money Laundering</p>
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INTRODUCTION:

- There is no official definition of black money in economic theories. It is usually referred to by various terms, such as: parallel economy, black money, black income, unaccounted economy, illegal economy and irregular economy.
- The simplest definition of black money could possibly be money that is hidden from tax authorities and also hidden from the government authorities which calculates national income like GDP, GNP etc.
- It has to be understood that fake notes are not synonymous to black money. Black money is not about printing new money, but is more related to tax evasion.

BLACK MONEY IN INDIA:

- Around 22000 crores of rupees are supposed to have been accumulated by the criminals for vested interests, though writ petitions in the supreme court estimate this to be even larger, at ₹300 lakh crores.
- The estimates of the black money in the system provided by the Standing Committee on Finance vary from 7% of GDP to 120% of GDP in 2009-10 and 2010-11., highlighting the wide variance in the methods of estimation.
- The studies found that sectors with the highest unaccounted income included real estate, mining, pharmaceuticals, pan masala, gutkha and tobacco, bullion and commodity markets, film industry, educational institutes and professionals.
- India has been ranked the fourth-biggest source of black money in the world, with \$510 billion worth of illicit financial flows during 2004-2013, or \$51 billion annually, on average. This was stated in a report

which was released recently by Global Financial Integrity (GFI), a research and advisory group based in Washington.

Challenges in Handling Black Money:

- There is no proper method of calculating black money in circulation.
- There is no authentic data on black money generation in the economy.
- Large usage of cash-based transactions make their recording difficult.
- Putting money from illegal sources into formal economy, makes it difficult to distinguish the black and white money.

SOURCES OF BLACK MONEY IN INDIA:

- **Gold imports:** through official channels and smuggling is a major conduit to bring back the black money from abroad and convert into local black money as the gold commands high demand among investors particularly.
- **Real estate:** Due to rising prices of real estate, the tax incidence applicable on real estate transactions in the form of stamp duty and capital gains tax can create incentives for tax evasion through under-reporting of transaction price.
- **Bullion and jewellery market:** The purchase allows the buyer the option of converting black money into gold and bullion, while it gives the trader the option of keeping his unaccounted wealth in the form of stock, not disclosed in the books.
- **Non-profit organizations:** Taxation laws allow certain privileges and incentives for promoting charitable activities which are misused and manipulated to utilize the unaccounted money.
- **Informal Sector and Cash Economy:** Cash transactions, large unbanked and underbanked areas contribute to the large cash economy in India. This cash economy remains unaccounted and leads to generation of black money.
- **External trade and transfer pricing:** Transfer profit/income to no tax or low tax jurisdictions by certain Companies. Developing countries may be losing over US\$160billion of tax revenues a year, primarily through transfer pricing strategies.
- **Trade-based Money Laundering (TBML):** Disguising the proceeds of crime and moving value through the use of trade transactions in an attempt to legitimize their illicit origins.
- **Tax Havens:** Tax havens are typically small countries/ jurisdictions, with low or nil taxation for foreigners who decide to come and settle there. Strong confidentiality or secrecy regarding wealth and accounts, very liberal regulatory environment allows opaque existence, where an entity can easily be set up without indulging in any meaningful commercial activity and yet claim to be a genuine business unit, merely by getting itself incorporated or registered in that jurisdiction. This makes them highly desirable locations for multinational entities wishing to reduce their global tax liabilities. Multinational entities consisting of a network of several corporate and non-corporate bodies set up conduit companies in tax havens and artificially transfer their income to such conduit companies in view of the low tax regime there.
- **Offshore Financial Centres:** Describe themselves as financial centres specializing in non-residential financial transactions but are logical extensions of the traditional tax havens. They have the following characteristics:
 - Jurisdictions that have financial institutions engaged primarily in business with non-residents.

- Financial systems with external assets and liabilities out of proportion
- Centers which provide some or all of the following opportunities: low or zero taxation; moderate or light financial regulation; banking secrecy and anonymity.
- **Hawala:** It is an informal and cheap method of transferring money from one place without using banks etc. It operates on codes and contacts and no paperwork and disclosure is required.
- **Financial markets transactions:** IPO manipulations, participatory notes, rigging of market such as use of shell companies.

IMPACTS OF BLACK MONEY:

1. **Loss of revenue** - Tax is the source of revenue receipts to the government. Therefore, tax evasion leads to generation of black money and erosion of revenues to the government. Loss of revenue has long term implications for the government. For instance, loss of revenue leads to a rise in fiscal deficit and increased borrowings by the government, thus generating interest burden for the future.
2. **Policy failure** - Black economy leads to inadequate allocations and ineffective expenditures. Investment gets diverted to unproductive sectors leading to shortage of savings for real investment. This results in policy failure. For instance, roads either do not get built or are of sub-standard quality needing frequent repairs due to misappropriation of funds.
3. **Erosion of domestic institutions** - The black economy and the erosion of institutions of democracy are interlinked. The institutions of democracy, legislatures, learning centres, judiciary, police, bureaucracy, and media, all are compromised due to the functioning of the black economy. For instance, the incessant use of black money during elections to buy votes has devalued the entire electoral process.
4. **Drain on the forex reserves** - Diversion of black money in gold leads to an increase in the imports of the metal. It acts as a drain on the forex reserves of the country.
5. **Inequality in the economy** - Tax evasion to hide the black money leads to accumulation of wealth. It leads to income inequality among various sections of the society. In India, 1% of the rich hold about 60% of the total wealth according to Oxfam Inequality Report.
6. **Security Issues** - Black money provides finance to criminals and anti-state actors. Black money can be used to support a wide range of illegal activities. Black money in itself is a curse for economy and anti-state actors can attempt to destabilize economy by pumping counterfeit currency in the economy. Time and again it has been revealed that terrorist groups are actively involved in this activity. It is difficult to track the source and flow of black money. So it is used in terror financing.
7. **Difficulty in framing monetary policy** - Black economy makes it hard for RBI to frame effective monetary policy. Black money floating in the economy is impossible to estimate and remains out of preview of government. RBI increases interest rates, CRR, SLR etc. to regulate money supply but more there is black money, more is ineffectiveness of these measures.
8. **Lack of innovation and research** - When black economy is dominant, there is less incentive for R&D for industry. Most of their effort is toward getting favorable treatment in allocation national resources. In India vast majority of billionaires have their interest in those areas where active support of government is needed. Some of the sectors include Iron and steel, mining, telecoms etc.
9. **Fuels organized crimes:** Black money is generally used for terror financing, drug and narcotics trade, human trafficking and disturbs the social harmony.
10. **Violation of social contract:** As black money increases illegal activities in society and fuels inequality among various sections of society, leads to violation of balanced social contract.

- ii. **Moral hazard** - Honesty, Integrity and ethical conduct are required for India's development. Black money strikes at the root of such ethical principles. Black money acts as a disincentive for the hard-working persons and generates moral hazard.

MEASURES TO TACKLE BLACK MONEY: There are two dimensions of the issue of black money – first, its generation and, second, its consumption and use, including laundering of black money back to mainstream economy. Dealing with this menace has to cover both these aspects.

Central Board of Direct Tax (CBDT) Committee has identified the following strategy to tackle black money:

- Preventing generation of black money
- Discouraging use of black money
- Effective detection of black money
- Effective investigation & adjudication

Preventing generation of black money: India must ensure transparent, time-bound & better regulated approvals/permits, single window delivery of services to the extent possible and speedier judicial processes.

Discouraging use of black money: Government may consider amending existing laws (The Coinage Act 2011, The Reserve Bank of India Act 1934, FEMA, IPC, Cr PC, etc.), or enacting a new law, for regulating the possession and transportation of cash, particularly putting a limitation on cash holdings for private use, and including provisions for confiscation of cash held beyond prescribed limits.

Effective detection of black money: The RBI could consider stricter implementation of KYC norms and limit the number of accounts that can be introduced by a single person, the number of accounts that can be maintained in the same branch by any entity and alerts about same address being used for opening accounts in different names.

Effective investigation & adjudication: Government must consider ways to mitigate the manpower shortage issues which are seriously hampering the functioning of various agencies particularly the CBDT and CBEC.

LEGISLATIVE MECHANISM:

1. **Goods and Services Tax, 2017:** GST will help in curbing domestic black money by the following ways:
 - Usage of PAN and Aadhar will be more frequent and will be required to file GST returns, this will help the income tax department to track transactions, which it is unable to do today.
 - There can be more data mapping for audit by the revenue authorities.
2. **Prohibition of Benami Property Transactions (Amendment) Act, 2016:** The Act was enacted as another follow up to demonetisation with the aim of striking at benami transactions. As per the official data, more than 900 properties worth more than Rs 3,500 crores were attached after amendment.
3. **Black Money (Undisclosed Foreign Income and assets) and Imposition of Tax Act, 2015:** Under the Act, the government provided a window for one-time compliance - between July 1 and September 30 in 2015 - for taxpayers to declare their undisclosed foreign assets. Around 650 people made declarations of the undisclosed money worth Rs 4,100 crore deposited in foreign banks.
4. **Changes in the Income Tax Act:** Section 10(38) of the Income Tax Act has been amended to prevent the misuse of exemption by certain persons for declaring their unaccounted income as exempt long-term capital gains by entering into sham transactions.
 - In order to eliminate bogus/multiple permanent account number (PAN), a new section 139AA has been inserted in the Income-Tax Act, which mandates quoting of Aadhaar number for filing

of return of Income and in PAN application form.

5. **Place of Effective Management' (POEM):** In order to check the creation of shell companies which are incorporated outside but controlled from India, the concept of 'Place of Effective Management' (POEM) for determination of residence of a company incorporated in a foreign jurisdiction, has been introduced in the Finance Act, 2016.
6. **Prevention of Corruption Act, 1988:** It has been enacted to consolidate and amend the law relating to the prevention of corruption and for matters connected therewith. It came into force with effect from 9th September, 1988. The maximum punishment under this Act is 7 years rigorous imprisonment with fine.

ADMINISTRATIVE MECHANISM:

1. **General Anti Avoidance Rules (GAAR):** GAAR (General Anti-Avoidance Rules) is a tool for checking aggressive tax planning especially that transaction or business arrangement which is/are entered into with the objective of avoiding taxes. It was introduced in India due to VODAFONE case ruling in favour of this company by the Supreme Court.
2. **Measures to reduce cash transactions:** A number of measures have been taken by the government to reduce the volume of cash transactions in the economy, such as :
 - Prohibition of cash receipts of Rs.2 lakh or more and penalty of a sum equal to the amount of such receipt if a person contravenes these provisions
 - Limit of cash donation to a charitable organisation has been reduced from Rs.10000 to Rs.2000.etc
3. **Demonetization of Rs500 and Rs1000 notes in 2016:** Demonetization of the notes of higher denomination has also been one of the steps of the Government to unearth black-money. The Income Tax collections have increased from the 2013-14 figure of 6.38 Lakh crores to the 2017-18 figure of 10.02 Lakh crores.
4. **Income Declaration Scheme, 2016:** the government provided an opportunity to those who haven't declared their income properly.
 - a. The scheme allows a citizen to disclose undeclared income and pay the applicable taxes.
 - b. Under this, a total of 45% of the undisclosed income is required to be paid to the government in form of tax and penalty.
5. **Non-filers Monitoring System:** The scheme was launched by the Central Board of Direct Taxes (CBDT). It was launched to have focused attention on non-filers with potential tax liabilities.
 - a. The Non-filers Monitoring System assimilates and analyses in-house information as well as transactional data received from third parties to identify persons who had undertaken high value financial transactions but did not file their returns
6. **Project Insights:** The scheme was launched by the Central Board of Direct Taxes (CBDT).
 - a. Under Project Insight, an integrated data warehousing and business intelligence platform is being rolled out in a phased manner to strengthen the non-intrusive information driven approach for improving compliance and effective utilization of information in all areas of tax administration.
7. **Operation Clean Money:** Under Operation Cleans Money (OCM), launched by the Central Board of Direct Taxes after demonetization, high-risk persons were identified using advanced data analytics, including integration of data sources, relationship clustering and fund tracking for detailed

investigations.

8. **Easwar Panel on Direct Taxes (2015):** The panel recommended to simplify the provisions of the Income Tax Act, 1961, to remove ambiguities that cause unnecessary litigations & hardships to taxpayers.
9. **United Nations Convention Against Corruption (UNCAC):** India ratified the UNCAC in 2011.
 - a. The Convention requires state parties to criminalise bribery of national public officials, foreign public officials and officials of public international organizations, embezzlement, misappropriation or other divisions of property by a public official, laundering of proceeds of crime, obstruction of justice, and illicit enrichment.

INSTITUTIONAL MECHANISM:

1. **Central Board of Direct Taxes (CBDT):** The CBDT, New Delhi, is part of the Department of Revenue in the Ministry of Finance. The CBDT is a statutory authority functioning under the Central Board of Revenue Act 1963. While the CBDT provides essential inputs for policy and planning of direct taxes in India, it is also responsible for administration of direct tax laws through its Income Tax arm.
2. **Serious Fraud Investigation Office (SFIO):** The SFIO functions under the Ministry of Corporate Affairs and takes up for investigation complex cases having inter-departmental and multidisciplinary ramifications and substantial involvement of public interest. It also takes up cases where investigation has the potential of contributing towards a clear improvement in systems, laws, or procedures.
3. **The Economic Intelligence Council (EIC):** It is chaired by the Finance Minister. The EIC meets at least once a year to discuss and take decisions regarding trends in economic offences and strategies on intelligence sharing, coordination, etc.
4. **Central Economic Intelligence Bureau (CEIB):** The CEIB functioning under the Ministry of Finance is responsible for coordination, intelligence sharing, and investigations at national as well as regional levels amongst various law enforcement agencies.
5. **Central Vigilance Commission (CVC) Act 2003**
 - a. CVC was established in 1964 and this Act gave statutory status to CVC. Central Vigilance Commissioner shall be appointed by the President on the recommendations of a Committee consisting of the PM, Minister of Home Affairs and Leader of Opposition in Lok Sabha.
 - b. Commission, while conducting the inquiry has all the powers of a Civil Court.
 - c. The CVC recommends the action to be taken against a public servant but the decision to take any disciplinary action against a civil servant rests on the department authority.

WAY FORWARD:

- **Reducing disincentives against voluntary compliance:** Voluntary compliance can be ensured by following steps :
 - Rationalization of tax rates;
 - Reducing transaction costs by providing electronic and internet-based services to pay tax, etc.
- **Reforms in sectors vulnerable to generation of black money:** Reforms in sectors such as real estate, gold etc would prevent black money generation in the economy. For instance, in the cash economy, the Government can provide tax incentives for use of credit/debit cards.
- **Creation of effective credible deterrence:** Policies should create enough disincentives for black money generation. The introduction of GST is an important step in this process. The following steps could be further taken to create effective deterrence :

- Strengthening direct tax administration.
- Strengthening of the prosecution mechanism.
- Enhancing exchange of information
- **Supportive measures:** Supportive measures would include bringing the public within the ambit of the policies by taking the following steps :
 - creating public awareness and public support,
 - enhancing the accountability of auditors and
 - participating in international efforts
- **Transparency in electoral funding:** The government needs to attack the root cause of the problem of black money generation by making electoral funding transparent, curbing the misuse by the wealthy of tax-free income sops for farmers, and encouraging cashless transactions.

MONEY LAUNDERING:

- According to INTERPOL, **Money laundering** is concealing or disguising the identity of illegally obtained proceeds so that they appear to have originated from legitimate sources.
- Some of the common methods of money laundering are Bulk Cash Smuggling, Shell companies and trusts, Round-tripping, Hawala, False invoicing etc.
- It is frequently a component of other, much more serious, crimes such as drug trafficking, robbery or extortion. The advent of cryptocurrency, such as bitcoins, has exacerbated this phenomenon.

PROCESS OF MONEY LAUNDERING

Money laundering is a single process however, its cycle can be broken down into three distinct stages namely, placement stage, layering stage and integration stage.

1. **Placement Stage:** It is the stage at which criminally derived funds are introduced in the financial system. At this stage, the launderer inserts the “dirty” money into a legitimate financial institution often in the form of cash bank deposits. This is the riskiest stage of the laundering process because large amounts of cash are pretty conspicuous, and banks are required to report high-value transactions.
Eg: Cash-intensive businesses - In this method, a business typically receive a large proportion of its revenue as cash and uses its accounts to deposit criminally derived cash from other sources.
2. **Layering Stage:** It is the stage at which complex financial transactions are carried out in order to camouflage the illegal source. At this stage, the launderer engages in a series of conversions or movements of the money in order to distance them from their source. In other words, the money is sent through various financial transactions so as to change its form and make it difficult to follow.
Eg: the launderer might simply wire the funds through a series of accounts at various banks across the globe.
3. **Integration stage:** It is the final stage at which the ‘laundered’ property is re-introduced into the legitimate economy. At this stage, the launderer might choose to invest the funds into real estate, luxury assets, or business ventures. At this point, the launderer can use the money without getting caught. It's very difficult to catch a launderer during the integration stage if there is no documentation during the previous stages.
Eg: Round-tripping - Here, money deposited in a controlled foreign corporation offshore, preferably in a tax haven where minimal records are kept, shipped back as a foreign direct investment, exempt from taxation.

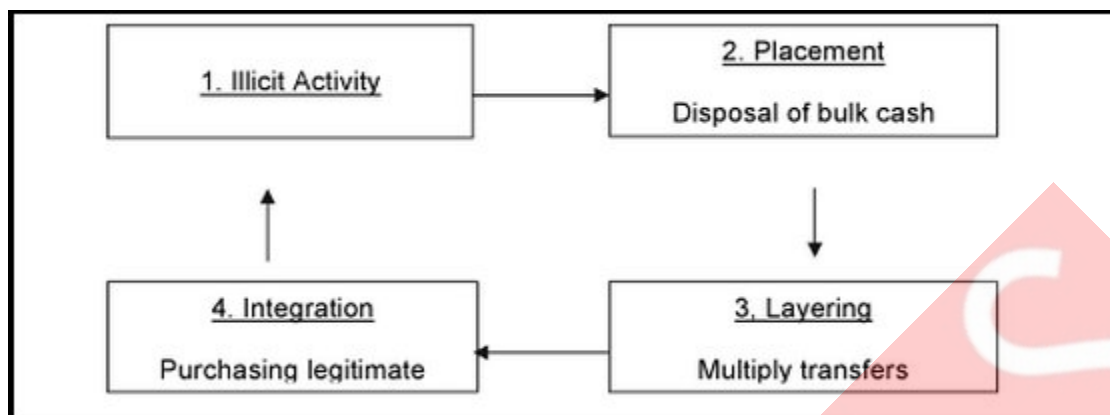


Fig. Process of Money laundering

Widely used methods for money laundering:

1. **Structuring Deposits:** This is also known as smurfing, this is a method of placement whereby cash is broken into smaller deposits of money, used to defeat suspicion of money laundering and to avoid anti-money laundering reporting requirements.
2. **Shell companies:** These are fake companies that exist for no other reason than to launder money. They take in black money as "payment" for supposed goods or services but actually provide no goods or services; they simply create the appearance of legitimate transactions through fake invoices and balance sheets.
3. **Third-Party Cheques:** Counter cheques or banker's drafts drawn on different institutions are utilized and cleared via various third-party accounts. Third party cheques and traveller's cheques are often purchased using proceeds of crime. Since these are negotiable in many countries, the nexus with the source of money is difficult to establish.
4. **Bulk cash smuggling:** This involves physically smuggling cash to another jurisdiction and depositing it in a financial institution, such as an offshore bank, with greater bank secrecy or less rigorous money laundering enforcement.

5. HAWALA:

- Hawala works by transferring money without actually moving it. In a hawala transaction, no physical movement of cash is there. It is an alternative or parallel remittance system, which works outside the circle of banks and formal financial systems.
- As hawala transactions are not routed through banks they cannot be regulated by the government agencies and have thus emerged as a major cause of concern as it is frequently used by criminals to launder money for their illicit act. This network is being used extensively across the globe to circulate black money and to provide funds for terrorism, drug trafficking and other illegal activities.

How it works?

The word "Hawala" means trust. In a hawala transaction, no physical movement of cash is there. Hawala system works with a network of operators called Hawaldars or Hawala Dealers. A person willing to transfer money, contacts a Hawala operator at the source location who takes money from that person. The Hawala operator then

calls upon his counterpart at the destination location who gives the cash to the person to whom the transfer has to be made, thus completing the transaction.

Status of Hawala in India:

- Hawala is illegal in India, as it is seen to be a form of money laundering. As hawala transactions are not routed through banks, government agencies and the RBI cannot regulate them.
- In India, FEMA (Foreign Exchange Management Act) 2000 and PMLA (Prevention of Money Laundering Act) 2002 are the two major legislations which make such transactions illegal.

Why do people prefer Hawala?

- The commission rates for transferring money through hawala are quite low.
- No requirement of any id proof and disclosure of source of income is there.
- Indian Rupee is not fully convertible i.e Indian rupee cannot be exchanged (above a limit) without the prior approval of the Reserve Bank of India and the Government of India (also other departments like Income Tax, etc.). There are restrictions also imposed under Article 4,5,6 and 7 of the FEMA Act. The existence of Hawala system, allows India rupee to be fully convertible.
- As there is no physical movement of cash, hawala operators provide better exchange rates as compared to the official exchange rates.
- It is a simple and hassle-free process when compared to the extensive documentation being done by the banks.
- It has emerged as a reliable & efficient system of remittance.

Terror funding through Hawala:

- National Investigation Agency (NIA) investigations on terror funding in the Kashmir valley have revealed that the separatist groups in Kashmir have been receiving a steady flow of funds through the 'hawala' route through Pakistan and UAE-based businessmen.
- The cases of terror funding are registered in general under Sections 120-B (criminal conspiracy), 121 (waging war against government) of IPC and Sec 17 of Unlawful Activities (Prevention) Act, 1967 (terror financing) and Prevention of Money Laundering Act (PMLA), 2002.

IMPACTS OF MONEY LAUNDERING:

Economic Impacts:

- **Undermines the legitimacy of private sector** - The use of front companies by money launderers undermines the legitimate private sector, as the motive of money launderers is not necessarily to make a profit out of operations of the front company.
- **Undermines the integrity of financial markets** - This could also affect the reputation of a country and force investors to invest in economies that are perceived to be less exposed to the risk of money laundering.
- **Economic distortion and instability** - Money laundering may also misrepresent capital flows, and thus destabilise the effective functioning of the world-wide economy.
- **Loss of revenue** - Money laundering decreases the tax funds available for collection in the economy and decreases government's revenues.

- **Macroeconomic Effect** - Volatility in exchange rates and interest rates due to unanticipated transfers of funds, rise in commodity prices is felt by underprivileged sections.
- **External Sector:** Excessive illegal capital flight from a state may be facilitated by either domestic financial institutions or by foreign financial institutions. That illicit capital flight drains scarce resources, especially from developing economies. In this way, economic growth of corresponding economy is adversely affected.

Social Impacts:

- **Increased criminality** - The triumph of money launderers is the distance they create between themselves and the criminal activity producing profit, so that they can live lavish life through this crime without attracting attention and could also go to the extent of reinvesting their profits to finance other crimes
- **Decreases human development** - labours then become jobless and the high rate of unemployment result in an increase in criminality, dissatisfaction and insecurity.
- **Affects trust** of local citizens in their domestic financial institutions as they are not able to curb money laundering activities.
- **Declines the moral and social position** of the society by exposing it to activities such as drug trafficking, smuggling, corruption and other criminal activities

Political Impacts:

- Decline of social trust among local population about politicians governing them as they are not capable of tackling money laundering activities.
- Laundered money enters the election cycle which lead to criminalisation of politics.

COMBATING MONEY LAUNDERING:

1. **Criminal Law Amendment Ordinance (XXXVIII of 1944):** Under this law, police can get the proceeds of crime relating to bribes, breach of trust and cheating, confiscated by an order of attachment and on completion of the criminal prosecution can get an order from court forfeiting the proceeds. It does not cover all the crimes under the Indian Penal Code.
2. **The Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976:** According to this law, there is a penalty of illegally acquired properties of smugglers and foreign exchange manipulators and for matters connected therewith and incidental thereto. The application of this law is restricted to persons convicted under the Customs Act, 1962 or Sea Customs Act, 1878 or other foreign exchange laws.
3. **Narcotic Drugs and Psychotropic Substances Act, 1985:** It provides for the penalty of property derived from, or used in illegal traffic in narcotic drugs.
4. **Prevention of Money-Laundering Act, 2002 (PMLA):** It forms the core of the legal framework put in place by India to combat money laundering. Its key features include:
 - a. Expanded the reach of the Act by adding many more crimes under various legislations: It identifies certain offences under the IPC, the Narcotic Drugs and Psychotropic Substances Act, the Arms Act, the Wild Life (Protection) Act, the Immoral Traffic (Prevention) Act and the Prevention of Corruption Act, the proceeds of which would be covered under this Act.

- b. Tackles Cross border money Laundering: It allows Central Government to enter into an agreement with the Government of any country outside India for enforcing the provisions of the PMLA, exchange of information for the prevention of any offence under PMLA.
- c. Special Courts: They have been set-up in a number of States / UTs by the Central Government to conduct the trial of the offences of money laundering.
- d. It seeks to bring **certain financial institutions** like Full Fledged Money Changers, Money Transfer Service and Master Card within the reporting regime of the Act.
- e. It prescribes for formation of a three-member **Adjudicating Authority** for dealing with matters relating to attachment and confiscation of property under the Act.
- f. An **Appellate Tribunal** is established to hear appeals against the orders of the Adjudicating Authority and the authorities under the Act.

Changes in the **Prevention of Money Laundering Act (PMLA)** through Finance Act, 2019: The Amendments aim at further enhancing the effectiveness of the Act, widen its scope and take care of certain procedural difficulties faced by the Enforcement Directorate in prosecution of PMLA cases.

1. **Amendment in the definition of "proceeds of crime"**: The definition of "proceeds of crime" in PMLA was amended in 2015 to include "property equivalent held within the country" in case proceeds of crime is taken out or held "outside the country". The present amendment shall allow to proceed against property equivalent to proceeds to crime held outside the country also.
 2. **Amendment in bail provisions**: Amendment proposed in Section 45(1) would make the applicability of bail conditions uniform to all the offences under PMLA, instead of only those offences under the schedule which are liable to imprisonment of more than 3 years. This will be a significant step forward in delinking the proceedings against scheduled offences and Money laundering offences under PMLA. Further limit of Rs.one crore shall allow court to apply bail provisions more leniently to less serious PMLA cases.
 3. **Corporate frauds included as Scheduled offence**: Section 447 of the Companies Act is being included as scheduled offence under PMLA so that Registrar of Companies in suitable cases would be able to report such cases for action by Enforcement Directorate under the PMLA provisions. This provision shall strengthen the PMLA with respect to Corporate frauds.
 4. **Measures for restoration of property of persons adversely affected by PMLA investigation**: Present provisions under Section 8(8) allowed distribution of confiscated property to the rightful claimants, only after the trial is complete. Present amendment allows Special Court, if it thinks fit, to consider the claims of the claimants for the purposes of restoration of such properties even during trial also, in such manner as may be prescribed.
5. **Fugitive Economic Offenders Act, 2018**: The Fugitive Economic Offenders Act, 2018 is an Act of the Parliament of India that seeks to confiscate properties and assets of economic offenders that evade prosecution by remaining outside the jurisdiction of Indian courts.
 - a. Recently, Special Prevention of Money Laundering Act (PMLA) court declared Vijay Mallya a fugitive economic offender.
 6. **Foreign Account Tax Compliance Act (FATCA)** - The Foreign Account Tax Compliance Act (FATCA), generally requires that foreign financial Institutions and certain other non-financial foreign

entities report on the foreign assets held by their U.S. account holders or be subject to withholding on withholdable payments.

- a. An Inter-Governmental Agreement between India and the USA was signed for implementation of Foreign Account Tax Compliance Act (FATCA).
7. **Amendment of the India – Mauritius and India-Singapore Double Taxation Avoidance Agreement (DTAA)** - The India – Mauritius Double Taxation Avoidance Agreement (DTAA) was amended to provide for source-based taxation of capital gains on shares and income of banks.
 - a. The protocol would help tackle treaty abuse and round tripping of funds attributed to the India-Mauritius treaty. It would also improve transparency in tax matters and help curb tax evasion and tax avoidance.
 - b. The India – Singapore Double Taxation Avoidance Agreement (DTAA) was amended to provide for source-based taxation of capital gains on shares, to enable measures concerning prevention of tax evasion and tax avoidance.

INSTITUTIONAL FRAMEWORK FOR DEALING WITH MONEY LAUNDERING:

1. The **Directorate of Enforcement** was established in the year 1956 which is responsible for enforcement of the **Foreign Exchange Management Act, 1999 (FEMA)** and certain provisions under the **Prevention of Money Laundering Act, 2002 (PMLA)**. Work relating to investigation and prosecution of cases under the PMLA has been entrusted to Enforcement Directorate.
2. **Financial Intelligence Unit – India** was set by the Government of India in 2004 as the central national agency responsible for receiving, processing, analyzing and disseminating information relating to suspect financial transactions.
 - a. FIU-IND is also responsible for coordinating and strengthening efforts of national and international intelligence, investigation and enforcement agencies in pursuing the global efforts against money laundering and related crimes.
 - b. FIU-IND is an independent body reporting directly to the Economic Intelligence Council (EIC) headed by the Finance Minister.

GLOBAL EFFORTS TO COMBAT MONEY LAUNDERING:

- **THE VIENNA CONVENTION** - It was the first major initiative in the prevention of money laundering held in December 1988. This convention laid down the groundwork for efforts to combat money laundering by obliging the member states to criminalize the laundering of money from drug trafficking.
- **BASEL COMMITTEE'S STATEMENT OF PRINCIPLES** - In December 1988, the Basel Committee on Banking Regulations and Supervisory Practices issued a statement of principles which aims at encouraging the banking sector to adopt common position in order to ensure that banks are not used to hide or launder funds acquired through criminal activities.
- **THE FINANCIAL ACTION TASK FORCE (FATF)** - The FATF is an inter-governmental body established at the G7 summit in Paris in 1989 with the objective to set standards and promote effective implementation of legal, regulatory and operational measures to combat money laundering and terrorist financing and other related threats to the integrity of the international financial system.

- **Asia/Pacific Group on Money Laundering (APG) membership:** to facilitate the adoption, implementation and enforcement of internationally accepted anti-money laundering and anti-terrorist financing standards set out by FATF.
- **UNITED NATIONS GLOBAL PROGRAMME AGAINST MONEY LAUNDERING (UNGPML)** - UNGPML was established in 1997 with a view to increase effectiveness of international action against money laundering through comprehensive technical cooperation services offered to Governments.

Challenges in prevention of money laundering:

- **Non-fulfilment of the purpose of KYC Norms:** Increasing competition in the market is forcing the Banks to lower their guards and thus facilitating the money launderers to make illicit use of it in furtherance of their crime.
- **Tax Haven Countries:** They have long been associated with money laundering because their strict financial secrecy laws allow the creation of anonymous accounts while prohibiting the disclosure of financial information. Furthermore, there is strong evidence indicating that a substantial portion of these funds has been used to sustain terrorist groups such as Al-Qaeda.
- **Rapid advancements in digital technology:** The enforcement agencies are not able to match up with the speed of growing technologies which enables money launderers to obscure the origin of proceeds of crimes by cyber finance techniques.
- **Lack of awareness about the seriousness of crimes of money-laundering:** The poor and illiterate people, instead of going through lengthy paperwork transactions in Banks, prefer the Hawala system where there are fewer formalities, little or no documentation, lower rates and anonymity.
- **Widespread act of smuggling:** there are a number of black-market channels in India for the purpose of selling goods offering many imported consumer goods such as food items, electronics etc. which are routinely sold.
- **Lack of comprehensive enforcement agencies:** Separate wings of law enforcement agencies dealing with money laundering, cyber-crimes, terrorist crimes, economic offences, etc. lack convergence among themselves.

WAY FORWARD:

- **Special cell dealing with money laundering activities:** It should be created on the lines of Economic Intelligence Council (EIC) exclusively dealing with research and development of AML. This Special Cell should have link with INTERPOL and other international organizations dealing with AML. All key stakeholders, like, RBI, SEBI etc. should be a part of this.
- **Laws in line with conventions:** Countries should criminalise money laundering on the basis of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 (the Vienna Convention) and the United Nations Convention against Transnational Organized Crime, 2000 (the Palermo Convention).
- **Implement FATF Recommendations** which sets out a comprehensive and consistent framework. Some of them are:
 - Identify the risks, develop policies and domestic coordination to mitigate money laundering and terrorist financing risks.

- Criminalise money laundering on the basis of the Vienna Convention and the Palermo Convention which ensures that financial institution secrecy laws do not inhibit implementation of the FATF Recommendations.
- Provide mutual legal assistance in relation to money laundering and effectively execute extradition requests in relation to money laundering and terrorist financing.
- Review the adequacy of laws and regulations that relate to non-profit organisations which the country has identified as being vulnerable to terrorist financing abuse.
- **Tackling tax havens:** There is a need to draw a line between financial confidentiality rules in certain countries and these financial institutions becoming money laundering havens.

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