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# Role of the Armed Forces in Internal Security: Time for Review

P K Mallick

*The various kinds of dangers are:*

*that which is of external origins and internal abetment ;*

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*Of these four kinds of dangers, internal dangers should be got rid of first; for it is the internal troubles, like the fear from a lurking snake, that are more serious than external trouble.*

— Kautilya, 321-296 BC

## Introduction

The term “aid to civil authorities” (ACA) is a British imperial usage referring to the process by which local authorities can request the central government to lend assistance in times of emergency. Before independence, dealing with internal security was an important task of the army. For the colonial rulers, internal security was more important than tackling external aggression, for their own survival. They made no distinction between using the army for internal and external security duties.

After independence, the army was required for the more important task of defending the country against external threats. There was a phenomenal increase in the strength of the state armed police, central police forces and paramilitary forces. It was expected that these forces would relieve the army from the task of providing frequent assistance to the civil power. Events of the past decade suggest, however, that the fabric of civil-military relations in India is showing signs of wear as army and paramilitary personnel are being

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deployed in the aid-to-civil role in greater numbers, for longer periods of time, and with increasing frequency. The scope of violence in India has reached unprecedented levels, as has the level of force which the army and paramilitary personnel have employed in restoring order. The local authorities have come to rely more than ever before on the armed forces.

Since independence and, more particularly, during the last 30 years, internal security conditions in the country have deteriorated sharply. Ethical or tribal insurgencies in the northeast, the continuing Marxist insurgencies of various hues in different states; the periodic outbreak of communal tension and violent disturbances, the ideologically and religiously oriented terrorism in different parts of the country and particularly in Jammu & Kashmir (J&K); the mushrooming of organised crime groups, national and trans-national, and their nexus with the terrorists and the exploitation of the resulting situation by Pakistan and its Inter-Services Intelligence (ISI) to wage a proxy war against India have kept the Indian security forces and the civilian population bleeding.

The management of internal security is extremely complex as the internal security scenario is influenced by many factors, including its historical legacy, geography, population size, quality of governance, sense of national unity and pride, economic development, poverty, socio-economic disparities and socio-cultural as well as ethno-religious traditions. Regional and global developments also affect our security interests.

Is there adequate awareness in the central and state leaderships of the new dimensions of the threats to our internal security? Do we have carefully worked out short, medium and long-term strategies to deal with these threats — politically, ideologically, economically, socially and systemically? Do we have a national security apparatus capable of implementing the strategy effectively? The armed forces are already deeply involved in high intensity internal disturbances like insurgency and terrorism. There is a need to review the role of the armed forces in dealing with the internal security (IS) situations. The existing concept of providing ACA, tri-Services responsibilities and integration, civil-military interface, force composition and capability needs to render such assistance has been analysed and an organised structure has been recommended for future ACA activities.

### **Employment of Troops in ACA**

Troops may be called upon to help the civil authorities in any of the following duties:

- Maintenance of law and order.
- Maintenance of essential services.
- Assistance during natural calamities such as earthquakes and floods.
- Any other type of assistance which may be needed by the civil authorities.

The basic doctrine governing the use of the armed forces is contained in the following:

- Instructions on Aid to the Civil Authorities by the Armed Forces, 1970.
- Manual of Indian Military Law, Chapter VII.
- Defence Services Regulations—Regulations for the Army, Chapter VII, paragraphs 301 to 327.

Assistance other than the maintenance of law and order is for humanitarian purposes and in support of society. It enhances the image of the armed forces and improves civil-military relations, hence, it is not being discussed any further.

### ***Guiding Principles***

Four guiding principles govern the action of troops acting in aid of the civil authority to restore law and order. These are the Principles of Necessity, Minimum Force, Impartiality and Good Faith.

**Principle of Necessity.** It enjoins that there should be justification for every action that the troops take while acting in this role. Punitive action, reprisals or action for striking terror are violative of the requirements of this principle.

**Principle of Minimum Force.** It requires that the least amount of force, commensurate with the requirements of the situation should be used. It is a principle that is often misunderstood by soldiers and civil servants alike. It implies the application of as little force, as warranted by the situation. It does not set absolute limits on the quantum and type of force to be used. This decision is left entirely to the professional judgment of the military commander on the spot. Misplaced concern for human rights and failure to understand the application of the principle of *minimum force* encourage some soldiers to recommend the adoption of police weapons, equipment, methods and techniques of crowd control. This is fraught with grave danger and can lead to the erosion of the credibility of the armed forces as the *instrument of national last resort*. In India where the central police force (CPF) and paramilitary force (PMF) clearly provide the government with a *third force*, the army must remain distinct – a force apart. From time to time, recommendations for the use of non-lethal weapons like stun grenades,

rubber bullets, sticky foam, etc are mooted, on the lines of US Marine Corps usage. They use these non-lethal weapons as part of policing jobs outside the country. It has no relevance in our scenario.

**Principle of Impartiality.** It implies that troops must not take sides in any dispute. This has particular relevance in the case of communal riots. Ordering troops to fire on their co-religionists or ethnic kinsman poses a stiff challenge to army discipline. The mutiny of over 1,500 soldiers in the wake of storming of the

Golden Temple raised concerns that the army's tradition of impartiality has been put to the test once too often.

**Principle of Good Faith.** It gets automatically complied with when the previous three principles are observed. No animus should be shown, even indirectly, by troops or their commanders. The Indian Criminal Procedure Code stipulates that all security personnel performing aid-to-civil duties are immune from criminal prosecution, provided they act in good faith. Army personnel are rarely, if ever, prosecuted for exceeding their authority. Instead, offending personnel are handled discreetly within the system of military justice.

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### *Police*

The paramount importance of maintaining the civil face of the government, even while the armed forces of the union are deployed in aid of civil authority, cannot be over-emphasised. The state police is the most visible symbol of administrative authority and its failure to effectively maintain law and order has not only eroded the credibility of the government but has also emboldened criminal elements to persist with their unlawful activities with impunity. Hence, there is a need to restore the fitness, capacity and morale of the state police forces.

**Central Police Forces.** The primary task of the paramilitary forces should be to complement the army, and of the central police organisations to complement the police. Paramilitary personnel have a delicate mission to perform, considering that they are almost always outsiders rushed to the scene of a local disturbance. While a detached outsider has a certain advantage in being regarded by the local population as an impartial arbiter,

the role also has its drawbacks. The fact that state and local authorities have petitioned the centre to provide police assistance is an admission that the local police have failed in their responsibility of maintaining the peace. This tacit admission of failure characteristically breeds resentment among local policemen. Once set in motion, the process of police demoralisation complicates the efforts to restore the peace. Police officials often withhold cooperation from paramilitary officers who, in turn, reciprocate by showing disdain for the professional capabilities of their police counterparts. Lacking the intelligence-gathering networks, sympathetic contacts with the population, goodwill of the police, and often, a knowledge of the local language, the paramilitary forces have to carry out their peace-keeping mission with little local back-up.

The operational culture of the central police organisations (CPOs) is different. The existing ethos is for guard / check post and protection duties, and their outlook is defensive, not proactive. Their employment is manpower oriented and not as a force in being. The present training of CPOs is still oriented towards constabulary duties, use of the baton and teargas, etc. A cultural change is required in training from lathi charge to high intensity counter-insurgency (CI) operations.

There are, seven central police forces (CPFs) under the union government, viz, Assam Rifles (AR), Border Security Force (BSF), Indo-Tibetan Border Police (ITBP), Central Reserve Police Force (CRPF), Central Industrial Security Force (CISF), Special Services Bureau (SSB) and National Security Guards (NSG). The CRPF is the main force to assist the states in maintaining law and order. The Rapid Action Force (RAF), a specialised wing of the CRPF, deals with riots, especially those with communal overtones, and the like. The AR is primarily meant for border guarding and counter-insurgency roles in the northeastern region of India. Its operational control is with the army. The BSF, ITBP and SSB are primarily responsible for border guarding. The CISF provides security and protection to vital installations, public sector undertakings and government buildings. Its charter has been expended to provide protection to VIPs also. The NSG is a specialised force for counter-terrorism and anti-hijacking operations.

## Need for a New Concept

*It should be noted that that the Indian Army today has more complex tasks than ever before: to be prepared for the full spectrum of conflicts ranging from maintenance of law and order, counter-terrorism and proxy war, to a scaled conventional war under the shadow of or involving weapons of mass destruction.*

— Gen VP Malik (Retd)  
“Challenges Before Indian Army,”  
*SP's Land Forces*, July 2004

### ***Proxy War, Counter-Terrorism and Counter-Insurgency Operations***

External and internal security are meshed together more than ever before: in proxy wars, counter-terrorism (CT) and counter-insurgency (CI) operations. The Indian Army's commitments in such operations have increased considerably over the years. In the post 9/11 counter-terrorism environment, there is little likelihood of its reduction, despite the fact that the strength of India's paramilitary forces and central police organisations has now considerably increased and these are now better equipped and trained.

The armed forces are being called for internal security duties for basically two reasons: control of communal riots like those post Ayodhya or Godhra and CI operations in the northeast and the proxy war in J&K. What is good for CI operations, may not be the panacea for communal riot control. Civic action is necessary in CI operations but should not be resorted to in communal riot control, as it can be misrepresented as favouring a particular community.

### ***Communal Violence***

The communal violence has undergone major changes over the years due to the following:

- Emergence of Hindu fundamentalism and pan-Islamic Muslim fundamentalists.
- Acute polarisation of the population on religious lines.
- Pattern of violence. More brutal, techniques like use of women and children as human shields. Availability of sophisticated arms and ammunition as well as explosives.
- Participation of the middle class in violence.
- Caste violence or “Mandalisation”.

## Role of the Indian Army in CI/Proxy War

*Counter-insurgency operations must, of necessity, be an intimate mix of military operations, civil actions, psychological operations and political/ social action.*

— Lt Gen SC Sardeshpande, *War and Soldiering*

India, like most other democracies, is slow to react to a developing internal threat. Weak resolve, political pressures, bureaucratic hurdles and the lack of inter-agency integration and cooperation prevent the formulation of a clear aim, overall policy and plan. The army's studied and deliberate attitude of aloofness, deprives the government of timely professional advice and assistance. We need to influence decision making. The army should shed its sacrosanct attitude and provide firm, fearless and timely advice. Good governance is not a holy cow. It is of primary concern to the armed forces since it is they who must invariably bear the consequences of ineffective administration and law enforcement. In spite of unnecessary controversy generated by the media on the correct assertion by a former Chief of Army Staff (COAS) that good governance is our business also, we as the major stakeholder should continue to remind all concerned about this issue. History is replete with examples, specially in the northeast, of the army having retrieved the situation, winning the battle and putting the insurgents under sustained pressure, with great loss to our officers and men, only to lose the war in not following it up correctly in the government level. Likewise, the army's dogmatic insistence on being *an instrument of last resort* always can actually interfere with, and jeopardise, operations. Whereas in a maintenance of law and order situation, at the lowest end of the spectrum of internal conflict, the use of the army may only be justified after all the other means have been exhausted. This may not be desirable in a developing counter-terrorist or counter-insurgency operation. Indeed, delays may lead to the worsening of a situation and, consequently, the requirement of greater force subsequently. In a high threat terrorism and insurgency scenario, it denies the army the advantage of early intervention and build-up, and prevents it from adopting a flexible and graduated response.

Though CI operations are prolonged and difficult operations — no armed force in the world likes to get involved in such operations — there are shining examples of success by the armed forces. The British had successes in Malaya and Ireland. We have done it in Punjab, Mizoram, the Naxal uprising in West

Bengal in the early 1970s and the Gorkha National Liberation Front (GNLF) agitation in Darjeeling. Every module is different but a study of these operations will provide interesting lessons. In any future counter-insurgency operation, military action will be conducted under the critical scrutiny of the law, media, human rights organisations, and other international bodies. This implies that the military commander will have a far from free hand. Indeed, in a well-designed counter-insurgency strategy, a military commander is unlikely to direct the overall campaign. It emphasises the focus on people and ideas. Insurgent cohesion is identified and attacked by applying concentrated yet discrete force against critical weaknesses. Surprise, tempo, and simultaneity are used to overwhelm and unhinge the insurgent, bringing about a complete collapse of will and, ultimately, helping to create the conditions for his political defeat.

The army must retain full operational control at all levels, and not let the civil administration or political executive decide the operational response. We must demand that political objectives should be defined periodically and put into written form. The state must play a role in administrative support and facilities. The army must understand the political dimensions of IS. Today's insurgent may be tomorrow's legitimate political leader. We should keep in touch with the third and fourth rung cadres and leaders. Inter-agency cooperation amongst all the stakeholders would help everybody.

Attacking the insurgent's will, the strength from which he draws his cohesion, is likely to be more productive, particularly in the early stages of a counter-insurgency campaign, before the insurgency is consolidated. A sophisticated attack on the insurgent's will strikes at the centre of his philosophy. This should be undertaken as part of a deliberate winning of the hearts and minds campaign. A diagrammatic model of winning the hearts and minds (WHAM) of people is given at Appendix A.

### *Planning*

Counter-insurgency operations are complex and political by nature. Counter-insurgency planning cannot be left to the military alone and must involve all elements of national power. The problem is that historically, the military has taken the lead in all aspects of planning.

Two areas of essential activity that are particularly weak in India are intelligence and psychological operations. The government, lacking confidence, seeks to play safe by running a number of agencies. Their spheres overlap, sources play one agency against another, and information is contradictory. It spawns an



unhealthy rivalry. Military intelligence is not properly integrated and civilian agencies are not responsive. Little, if any, use is made of modern technological innovations in the field of surveillance and intelligence acquisition. The solution lies in the overhaul of the intelligence services: modest reorganisation and improved functioning within the existing constraints are urgently called for.

In IS operations where the battle is essentially for the hearts and minds, the aspects of psychological operations is to be addressed. The new forms of warfare thrive on publicity. The enemy seeks to manipulate the media. The media falls prey to the lure of sensationalism and unwittingly endangers individuals, state and public security. The government lacks an effective and modern apparatus to disseminate *public information*. Of late, the army has taken the initiative in this important issue. But much more is required to be done. Suggested themes for psychological operations for various target groups are given at Appendix B.

Fears expressed about the prolonged and frequent use of the army in operations in ACA are not altogether without justification. Notwithstanding the dangers, an editorial in the *Indian Express* raises several questions: “*How is the army fulfilling its role in IS ?*” “*Why does it not train for its role?*” “*Why does it not build necessary doctrine?*” and “*Why is it allowed to get away with such reluctance, expediency,*” and *it’s not our job*” attitudes towards its IS role? However, these questions are being asked all over the world. In the emerging scenario, wherein internal conflict constitutes the most serious threat to the nation’s security, these are pertinent questions indeed. Former US Secretary of State Madeline Albright, on being opposed by the then Chairman Joint Chiefs of Staff Gen. Colin Powell for employing the US military outside the country, famously asked, “What is the point of having the superb military that you are always talking about if we can’t use it?”

## Legal Aspects

### *Responsibility*

As per the Constitution of India, maintenance of law and order is a state responsibility whereas the deployment of the armed forces is the prerogative of the central government. The state government maintains law and order with the help of the police force under the Police Act, 1861. However, when there is a problem beyond the capacity of the state police force, the state requisitions the services of the PMFs/CPOs. If the problem still does not come under control, the state can requisition the assistance of the armed forces as a last resort, to restore order under Sections 130 & 131 of the CrPC. However, a tricky situation may

develop when the governments at the centre and state are not from the same coalition and the central government wants to deploy the army due to the threat to national security but the state government is not in favour of the same. However, in the states where the situation has gone beyond their control, the centre, as laid down in the Constitution, is duty-bound to intervene, notwithstanding the fact that law and order is under the State List. The union government is charged with the responsibility of protecting the states from internal disturbances under Article 353 of the

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Constitution, even though law and order comes under List-II, the State List. The union government can issue directions to the state under Articles 257-258. Action for non-compliance of the directions from the union government can be taken under Article 365. A state government can be dismissed under Article 356, if a situation arises in which the administration of the state cannot be carried out in accordance with the provisions of the Constitution. But even if the centre decides to intervene, the state's role cannot be minimised. The primary responsibility to deal with the security challenges must rest with the state governments. A situation should not be allowed to develop where the state government washes its hands off, or its forces, instead of cooperating with the central forces, actually work against them. The many internal security challenges can be met effectively only with full cooperation between the central and state governments. If such a situation develops, what the army's stand should be, needs to be discussed and formulated now, and not left to future uncertainties.

### *Main Provisions of the AFSPA*

While the armed forces personnel are protected from prosecution (for their actions in aid to civil power) by Section 132 of the CrPC, they have to follow certain dos and don'ts. When the situation further deteriorates, the central government (as well as the governor/administrator of union territory) can declare the area as "disturbed"; the armed forces are then vested with larger powers to deal with the situation under the Armed Forces Special Powers Act (AFSPA).

The main provisions of AFSPA are that any commissioned officer, warrant officer or non-commissioned officer in the armed forces may, in a "disturbed

area,” for maintenance of public order, after giving due warning, fire upon — even causing the death of — any person acting against any law/order in force, prohibiting the assembly of five or more persons or carrying of weapons, or ammunition or explosive substances; if necessary, destroy any arms dump, prepared/fortified position/shelter from which armed attacks may be made, or any structure used as a training camp/hideout for armed volunteers; arrest without warrant any person who has committed/is likely to commit a cognisable offence, and may use such force as may be necessary to affect the arrest; enter and search without warrant any premises to make the arrest or to recover any person believed to be wrongfully confined, or any property suspected to be stolen, or any arms ammunition or explosive substances unlawfully kept, and may, for that purpose, use such force as may be necessary. Under the AFSPA, all persons arrested are to be handed over to the nearest police station with minimum delay, together with a report on the circumstances of arrest. The AFSPA provides immunity to persons operating under the AFSPA from prosecution, without prior sanction of the central government. While there has been a lot of media attention on AFSPA in recent times, the armed forces have to be given special powers for the simple reason that they are being called upon only in extreme circumstances, when all efforts of the state have failed, and they should be allowed to carry out the tasks assigned to them.

A doubt has been raised about the competence of the central government to declare an area as a “disturbed area’, under the Armed Forces (Special Powers) Act. The Group of Ministers (GoM) Report is categorical in stating, “GoM noted that the constitutional validity of the Armed Forces (Special Powers) Act, 1958, including Section 3 which deals with the power to declare areas to be disturbed areas, has been upheld by the Supreme Court of India, in Criminal Writ Petition No.550 of 1982 in Naga People’s Movement of Human Right Vs Union of India.”

## **Tri-Service Integration**

### *Concept*

As per the “Instructions to Aid to Civil Authorities” issued by the Ministry of Defence (MoD), in cases where there is no army establishment, but there is a navy/air force establishment, the responsibility of providing aid for maintenance of law and order lies with the concerned Service. Thus, it becomes imperative for the navy and air force to be capable of providing such

aid. All three Services have their own headquarters (HQs) instructions/orders issued on the subject, but dated the 1960s. These need a review to match our current scenarios and trends. Towards this, a unified approach and methodology is recommended. Presently, the tendency is to call for the army even if it is to come from far away and the air force or the navy are nearby. Even in the case of an emergency in their own fold, like after the tsunami in the Andamans, army units were called to dispose off the dead bodies of air force personnel.

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Although it is not desirable to requisition the armed forces for law and order duties when they are operationally deployed (due to an external threat), it may not be entirely avoidable. In such a scenario, it is better that such requisition is routed and advice sought from a single point central agency, namely, the Chief of Integrated Defence Staff (CIDS). In another scenario, like that in Delhi in 1984 and Ayodhya in 1992, there might be a requirement for concerted and synergised tri-Service response to deal with the law and order situation. The logistics efforts like airlifting of troops, stores, establishment of tele-communications, sending of hospital ships, etc are better coordinated at the CIDS. Thus, it becomes a necessity to have a common concept, training, methodology and equipment profile across the three Services. The Headquarter Integrated Defence Staffs (HQ IDS) is most suited to formulate these. Though CIDS has taken a lead in coordinating disaster management activities between the Services, surprisingly it is silent on the dirty job of IS duties.

### *Employment*

To meet the task in an economical and effective manner, the navy and air force assets could be pooled in along with army assets. Intelligence and databases could be exchanged between the Services at local functional levels also.

### *Role of Air Force*

Though the Royal Air Force (RAF) had been using air power in the Northwest Frontier from 1919 till 1947 with great success, it is quite surprising that the Indian Air Force (IAF) has hardly any role in CI operations where a very large part of the Indian Army is permanently deployed. Even the Indian Navy has

bloodied its Special Forces MARCOS in the Valley. There are only a couple of known cases of the use of air power in CI operations. Once in February 1966, when the Mizo National Front (MNF) armed rebels surrounded a company sized Assam Rifles post in Aizawl, 61 Mountain Brigade with IAF support managed to break the siege. In early 2003 and mid-2004, helicopter gunships were used in Hilkaka and Doda. In all the cases, the operations were an outstanding success.

Air forces can contribute significantly to counter-insurgency campaigns. In addition to surgical strikes against terrorists/insurgents, using precision weapons with exact intelligence, air power should contribute significantly to the campaign by providing constructive effects through information operations, airlift, aeromedical evacuation, and other forms of humanitarian assistance.

Air power provides intelligence, surveillance, reconnaissance (ISR) capabilities that can help locate, identify, and track insurgent forces—missions that are not possible in other Service components. Air and space platforms must be tailored to match the unconventional and small scale of the counter-insurgency effort. This does not mean the platforms must be “low-tech,” only that they must be specifically designed to perform the types of missions required in counter-insurgency rather than adapting “large war” capabilities to the small war environment. Unmanned aerial vehicles (UAVs) and satellite imagery should be suitably integrated.

## Civil-Military Interface

*It is even more necessary for State Governments to avoid, in the day-to-day administration of law and order, resort to military force. It is from this point of view and also in full knowledge of the commitment of our army that I cautioned the provincial governments in 1947 about the need for self-sufficiency of their police forces.*

— Sarder Patel, the then deputy prime minister and union home minister, addressing the annual conference of inspectors general of police in January 1950.

The armed forces in a democratic nation are subordinated to civil authority. Civil-military interaction is a dynamic process, not only during times of crisis but at all times. For better results, this relationship should be cordial and should be based on mutual trust and understanding. But generally the relationship is not as desired. The major reasons are:

- Inadequate intelligence sharing arrangement.
- Egoism.
- Lack of common/joint training.
- Misconception of the civil administration and police that the army is subordinate to them.
- Indifference of civil authority after handing over to the army during law and order problems.

The focus by the Indian state on the armed response to internal security often brings more problems in its wake. It antagonises the people, strengthens the resolve of the disaffected, raises the costs of governance and sows the seeds of future conflict. Even more than its colonial and state-versus-

people nature, the armed response completely ignores the political, social and economic causes of the upsurge. The centre has over the years allotted handsome amounts of funds to the troubled states. Over the years, these have led to abnormalities in the centre-state funding patterns. The northeastern states and Jammu and Kashmir have cumulatively received financial aid on a scale which places their per capita income at levels far higher than that of better governed states. The argument is often raised by the states that poor development levels lead to low internal security margins. If development is a measure of the funds which the centre has poured into the coffers of inefficient states, the conclusion becomes apparent. States do not generate revenues and central grants do not reach the people despite the massive quantities involved. In some states, central grants actually go into the militants' hands through extortion, ransom payments etc. What is, therefore, required is that central funds should be project-specific and released in result-based installments.

There is considerable confusion in the states and at the centre on what constitutes internal security. A wide range of troubles are often termed internal security problems. Insurgency, insurrection, communal strife, sub-national demands for statehood, terrorist acts, ethnic violence, armed political dissent all get listed as either internal security or law and order problems, depending on the local leadership's preference. Each requires a different emphasis in political and economic terms. This is often overlooked and the threshold at which a law and order problem becomes an internal security issue remains unclear. Everything is handled as a law and order

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problem and with an armed response by the state. The state also does little to address the fundamental problems after the armed response restores a semblance of order. The political, social and economic factors which contribute to internal security are rarely looked into.

In all, at least 231 of India's 602 districts are now afflicted by some degree of insurgent and terrorist activity (Maoist — 165 districts; northeast — 54; J&K — 12). The country remains severely under-equipped to deal with these multiple challenges, and the wider and rising challenge of law and order management. At 122 police personnel per 100,000 population, India's police strength is half the UN-recommended ratio, and a third of that of some Western nations. The principal Naxal-afflicted states have ratios ranging between 56:100,000 (Bihar) and 99:100,000 (Andhra Pradesh). There are also endemic resource deficiencies in terms of weaponry, communications, transport and technologies, as well as the restrictive legal and whimsical political mandates under which these forces operate. Unless these deficiencies are addressed, India's disorders may shift about a little, rising in one region, declining in another, but they will persist, and, at some stage, could secure the critical mass necessary to plunge the entire country into a crisis that is beyond its capacities of emergency management.

## **Training**

### *General*

Training is a prerequisite for any action/operation that the armed forces may be called upon to undertake. Most of the training in the armed forces is focussed towards training for its primary role and often the armed forces are unable to lay adequate stress on training for their secondary roles. The training and thinking of a soldier are geared to fight external forces but while acting in ACA, he has to operate in a totally different environment. The deployment pattern and employment of troops is also very different. Troops have to operate mostly in sub-units as against operating in large formations in war. There are also the legal aspects which have to be constantly kept in view. Troops have to function strictly within the framework of the law of the land and be prepared to face a legal inquiry at a later stage. All these considerations highlight the need for proper planning and training for this role.

### *Aspects Requiring Attention*

The major aspects of training of higher commanders must include the ability

to carry out a holistic appreciation of the situation, the genesis of the problem and the changing forms and patterns of violence. The ethos of providing ACA must include the cardinal aspects of minimum use of force, respect for law of the land, presenting a 'human face', upholding the military ethos of the apolitical nature of the armed forces and carrying out civic actions, where feasible. Training of junior leaders assumes greater importance in such situations due to the peculiar nature of employment of troops and requirements interaction with various civil/police authorities and non-governmental organisations (NGOs). An understanding of the culture of the people of the place where the armed forces are going to operate is one of the most important aspects.

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### *Training Needs*

These must include specialised training on acquisition of intelligence, relevant legal aspects, constitutional provisions relating to fundamental and human rights, training related to maintenance of law and order, training in interacting with the media, etc. These aspects can be covered as part of individual or collective training through courses/cadres/seminars, etc. To make the inter-Service cooperation beneficial, and to ensure that they can take on such duties wherever only they are deployed, the air force and the navy will have to be trained to the requisite standards.

## **Models for Response to ACA**

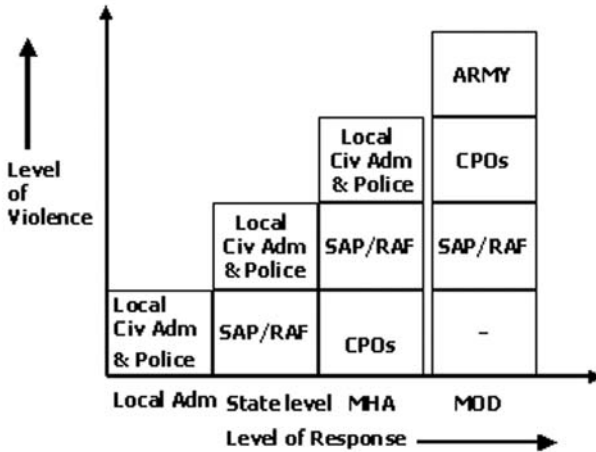
### *Proposed Concept*

The ingredients of the proposed concept are discussed below:

- **Instrument of Last Resort for Law and Order Situations.** There is a need to formalise the procedure to ensure that the army is utilised for law and order situations as an instrument of last resort. All the forces at the disposal of the state government and the Ministry of Home Affairs (MHA) at the central level should have been exhausted before requisitioning the army for law and order situations. A proposed model of graduated response is given in Fig 1.



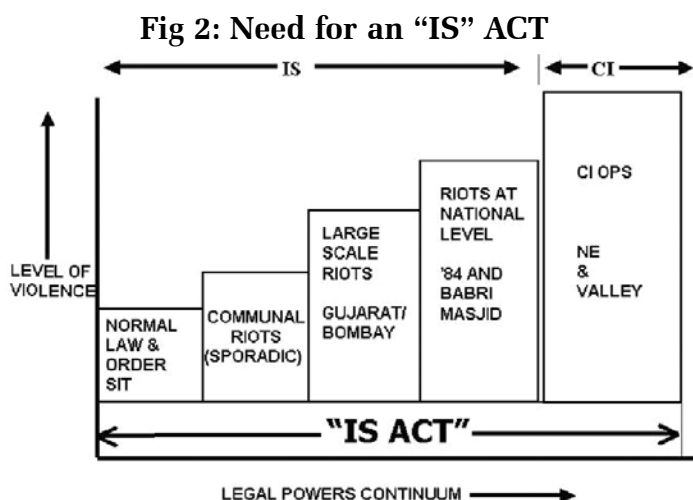
**Fig 1: Graduated Response**



- **Lowest Level of Requisitioning at State Level.** Magisterial requisitioning is a relic of the colonial era when communications and mobility of force were woefully inadequate. An MoD pamphlet of 1970 states, “When time is short, the magistrate of the highest rank may make a requisition direct to the nearest military authority located in his jurisdiction. The local military authorities are bound to comply with such requisitions.” With the current state of telecommunications, and capability of rapid air mobility, such a provision that was meant to cater for the time lag in seeking permission should be done away with. The lowest level at which the armed forces should be requisitioned for maintenance of law and order should be the chief secretary of a state.
- **Sensitivity Mapping.** As against the allocation of columns to districts as is the concept now, IS plans should be based on sensitivity of various areas to deterioration of law and order. Based on the existing database of past incidents and current intelligence inputs, areas should be graded in terms of sensitivity, and sensitivity maps should be prepared. While some static formations have identified sensitive areas in their area of responsibility, there needs to be a standardised methodology within the respective commands. This would assist in tasking and readiness of forces based on the sensitivity and the anticipated level of violence/lawlessness.
- **Force Composition.** As discussed earlier, the concept of employing the army in company columns often leads to problems of tactical integrity as well as command and control. The decision as to what part of a

unit/formation should be actually employed after being deployed is a command decision. Hence, it would be in the interest of greater effectiveness to consider employment in terms of units and formations, rather than columns.

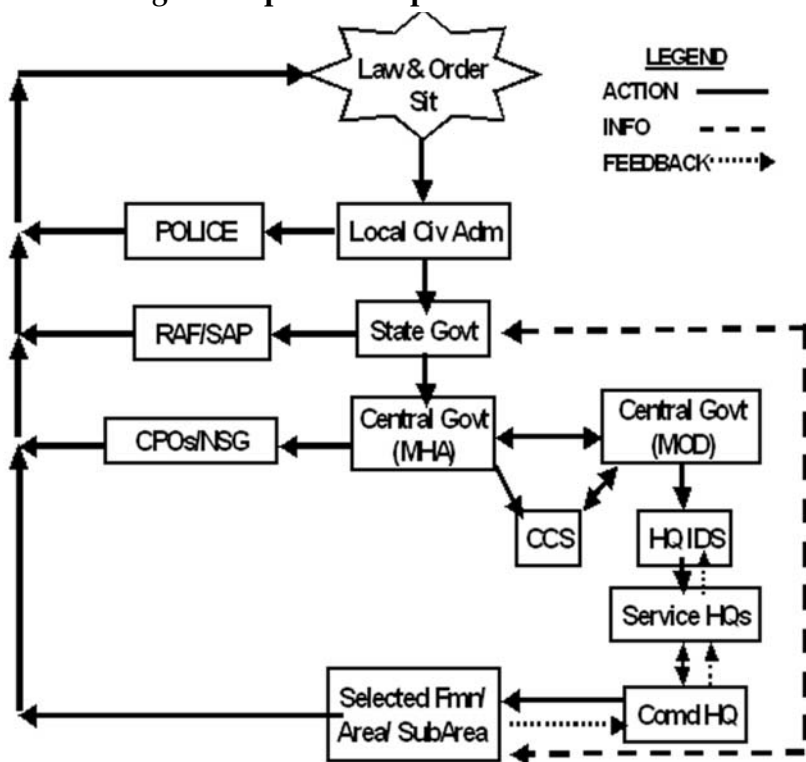
- **Levels of Intervention.** In law and order situations, there is a need to formalise the levels of intervention. The state, which as per the Constitution is responsible for law and order, should utilise all the forces at its disposal before asking for central assistance. At the first level of central intervention, the reorganised “IS Force” should be utilised. Only if the situation still remains critical and the Cabinet Committee on Security considers it essential, should the army be employed to restore law and order.
- **Need for Legislation.** If one considers a statutory continuum with disposal of unlawful assembly at the lowest end and martial law at the highest, the increased levels of violence identified would necessitate statutory support at levels higher than what the CrPC specifies. The provisions that support the use of forces and control of the situation are under various references in different states, as law and order is a state subject. To strengthen the hands of the army in situations of increased violence and to standardise the provisions, all statutes should be collectively enshrined in a comprehensive IS Act. The very act of requisitioning the army for law and order in a given area should legally trigger the application of the “IS Act” in that area. The proposed model is diagrammatically explained in Fig 2.



- **Decision to Derequisition Army.** As per “Aid to Civil Authorities 1970” the decision to derequisition the army rests with the civil authorities, in consultation with the army authorities. As the army is supposed to be employed for law and order only with MoD clearance, status quo should be maintained regarding the decision to derequisition.
- **Tri-Service Integration.** The current concept visualises the army as primarily responsible for IS duties. It is recommended that the air force and navy should be the primary respondents for IS duties in stations exclusively occupied by them. The navy trains for IS duties. There is a need to incorporate training for the air force too. Personal arms, equipment and combat uniform should be made common for such duties.
- **Civil-Military Interface.** Apart from a formal civil-military liaison conference at the state level, there is a need for interaction at the station level, preferably on a quarterly basis. The IS group detachments in every state provide an effective means of interface and intelligence. Increasing manpower could enhance its effectiveness.
- **Media as a Tool of Influence.** The media is a very potent tool in influencing public opinion as also the political leadership. Towards this end, the army should cultivate the media to project its viewpoint favourably.
- **Image of the Army.** The army has an image of being effective and non-partisan. The very presence of the army in its distinct uniform and vehicles has an effect of deterrence and curbs lawlessness. The recent trend of transporting the army in civilian vehicles and the use of combat camouflage fatigues by other forces such as the BSF dilutes this image and must be stopped immediately. The following measures are proposed:
  - ❖ Members of any other force wearing combat dress should not be allowed. CPOs can have their own distinct dress as RAF
  - ❖ When deployed for law and order situations, defence vehicles should be provided for all tasks.

**Proposed Response Model.** A proposed response model for ACA is given in Fig 3.

**Fig 3: Proposed Response Model For ACA**



**Conclusion**

*Arrows may not kill a soldier but a successful intrigue can kill even those in the womb*

— Kautilya in *Arthashastra*

The country is facing grave security threats in the northeast and J&K. The simmering Maoist issue in parts of Maharashtra, Madhya Pradesh, Andhra Pradesh, Utttaranchal, Jharkhand, Bihar, Utter Pradesh and West Bengal is a live problem. Establishment of a red corridor with Nepal is not a far fetched idea. The bulk of combat units in the army are heavily committed in the Northern or Eastern Command in proxy war/ CI operations, with little respite. The army will have to strive to fulfill its statutory obligations to internal security, demonstrating a high order of responsiveness, innovativeness and flexibility.

The army has to review its strategy of fighting a proxy war in J&K and CI

operations in the northeast. The numbers of security forces personnel, including the army, RR, BSE, CPO and state police employed to counter the proxy war in the Valley are high. Typical of the Pak-centric approach of the central government, the army also has allotted fewer troops for the simmering CI operations in the northeast. Increasing the strength of security forces personnel is not the right choice. The answer lies in getting specific intelligence, and then going in for surgical operations using special forces, precision weapons and air power. Both human intelligence and technical intelligence have to be improved. The sophisticated technical intelligence apparatus of the Indian Air Force and satellite resources must be dovetailed in our intelligence set-up. We must do some serious introspection as to why after so many years of our operations, intelligence is so poor.

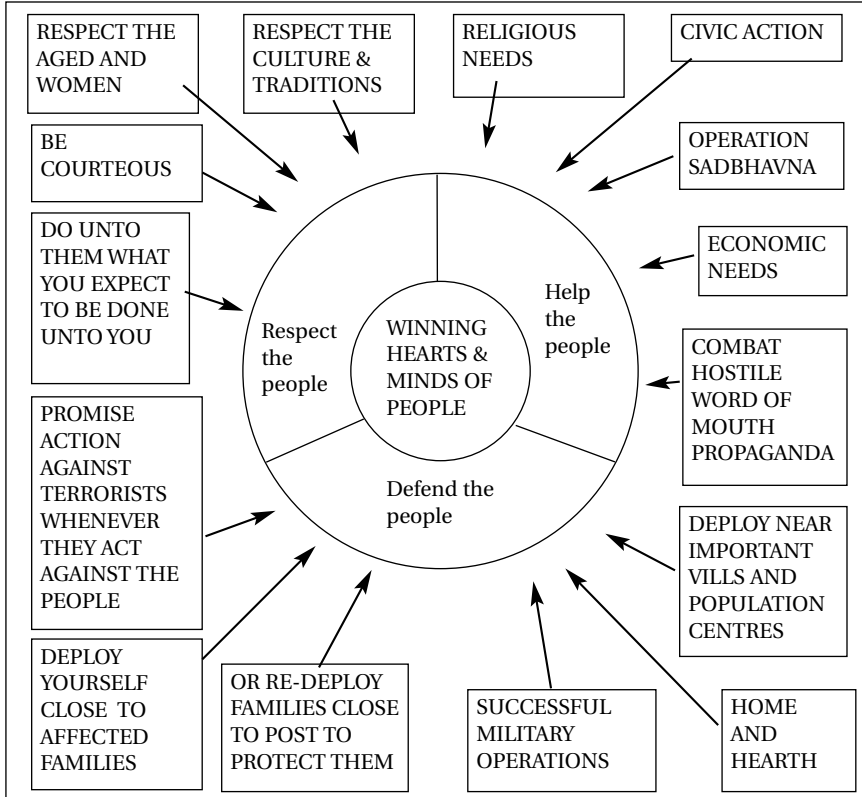
CI operations in the northeast have their own hues. There are examples of MNF leaders like Laldenga joining the mainstream and becoming chief minister and over some years, the insurgency in Mizoram getting controlled, but there are other states where no solution seems to be in sight. How do the security forces function with such governments? Similarly, negotiations take place between the insurgent groups and the Ministry of Home Affairs/Ministry of Defence, keeping the field commanders in the dark. There are no easy solutions.

The MHA has the nodal responsibility for maintenance of internal security in the country and has to ultimately deal with the consequences of any dereliction of responsibility at the local level and must, therefore, play a more proactive role vis-à-vis the state governments. The MHA would also have to catalyse the process of modernising and upgrading the CPMF and the state police forces. Appropriate restructuring of the MHA is called for in order to better equip it to deal more effectively with the problems of internal security.

The state governments should tackle law and order problems with their own forces. With considerable increase in the central paramilitary forces, including the CRPF and BSE, there should seldom be need to call in the army for this duty. The army should only be called when all other avenues available to the state are not adequate. However, when a terrorist or insurgent threat scenario develops, the army should seek intervention as soon as the threat is detected. The concept of operations, planning and training for IS duties at both ends of the spectrum, of restoring the law and order situation to proxy war, must be carried out by the armed forces. The army, when so called out, cannot fail.

Appendix 'A'

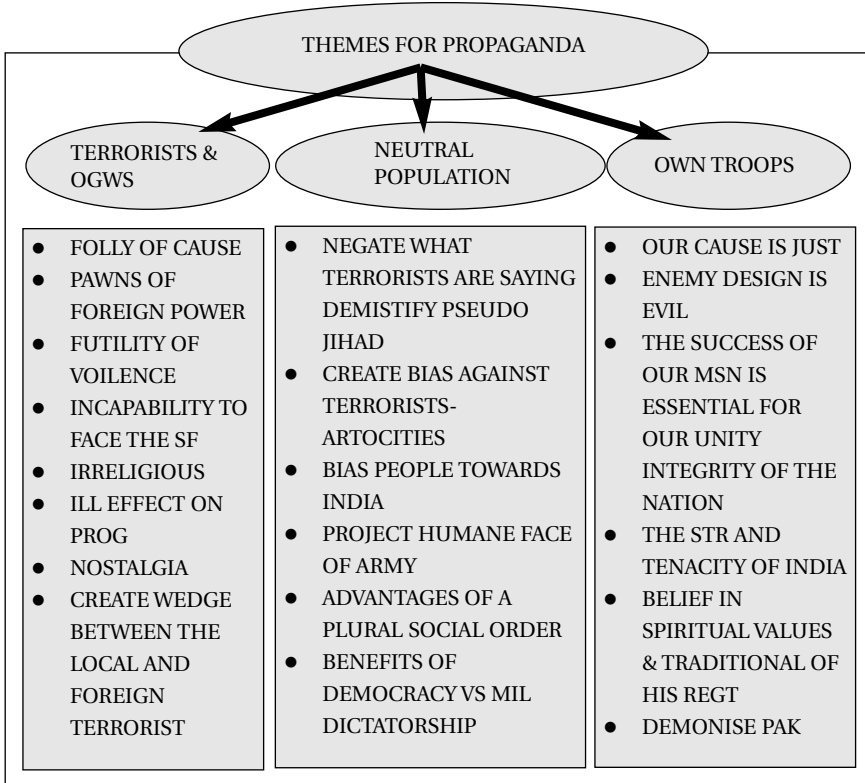
**Winning Hearts and Mind (WHAM)**



Civic Action and Operation Sadbhavna are not a substitute for civil administration but an augumentor/facilitator and the go-between

Appendix 'B'

### Themes for Various Target Groups



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**Disclaimer:** Certified that the views expressed and suggestions made in the article are made by the author in his personal capacity and do not have any official endorsement.

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