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Insurgency in India: Understand and Tackle

NANDINI[1]

ABSTRACT

This paper lays out the several challenges which occur due to insurgency in our country and how these challenges can be faced with better use of a combination human resources, dialogues and giving importance to the needs of such regions. According to a 2022 report by Ministry of Home Affairs, there has been a significant reduction of about 74% in incidents concerned with insurgency in India from 2014 to 2021, with Tripura and Mizoram emerging as the most peaceful states in the region. But there were still some attempts by rebel groups especially during the covid period which confirm that insurgency still exists and demonstrate the daring and savagery of the terrorists of today. The current democratic system is under constant attack by wicked forces, making it difficult to convince terrorists to change their ways. The absence of a free space in the conflict-torn region has hampered the development of civil society because draconian and divisive special laws that were put in place in the Northeast to combat insurgencies are still in place. The fact that insurgencies are still ongoing and causing a havoc, makes it imperative to understand the greater impact of these insurgencies and better insurgency tackling methods. The paper also discusses the existing policies to handle such insurgencies and the extent of their effectiveness while ruling out some other possible measures, favourable to all.

Keywords: Insurgency, challenges, policies, solutions.

I. INTRODUCTION

India has been scarred by persistent separatist insurgencies, mass agitations, ethnic riots, and heavy-handed official responses since the British withdrew from South Asia in 1947, culminating in unrelenting bloodletting. There have been various insurgencies in India since then may it be the Northeast insurgencies or the Kashmir insurgency between 1989-1991 or the insurgencies from the Malabar coast and all of these insurgencies bring with themselves some terrible consequences. According to Collin's dictionary, "An **insurgency** is a violent attempt to oppose a country's government carried out by citizens of that country."

There are various insurgent groups in India like the Jammu Kashmir Liberation Front, United National Liberation Front, National Socialist Council of Nagaland, Khalistan Liberation Front,

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Lashkar-e-Omar, Black widow etc.[2] Northeast India is thought to be the region of the country most plagued by insurgencies and most dangerous after Kashmir. However, there are several reasons behind such insurgencies in India like the geography of a region, discontentment among the folks, multi-ethnic population, disconnected region, lack of economic development, internal displacement and lastly external support from neighbouring countries in order to occupy a particular area of India under themselves.

Due to these insurgencies, India has to face various challenges like constant violence, security issues, fear in the mind of public, extortion and kidnapping cases etc. Although several attempts are taken by the government to counter or prevent these insurgencies through tight security, public policies and laws like Maintenance of Internal Security Act, Prevention Detention Act, counter-insurgency techniques but it even after 75 years of independence, India is still not completely free from insurgency activities which pose a constant threat amongst the Indians especially those living in the Northern and North-east borders of the country. This situation of constant insurgency is due to the lack of effective implementation of policies and loopholes in the system which will be discussed in the project, further.

(A) Aims

The main aim of this research project is to understand the challenges which arise along the insurgencies in India and how we can overcome those challenges by formulating proper policies and implementing speedy and effective trial of insurgents or terrorists.

(B) Objectives

- To understand the reason behind the challenges arising out of insurgency in India.

- To find the loopholes in India's policy of preventing insurgency.

- To critically analyse the Indian laws on insurgency.

- To suggest appropriate methods and safeguards against insurgency.

(C) Research methodology

This research is conducted through doctrinal research method, where the writer has collected the information from the credible e-sources, journals, research papers, books and the sources are cited in the bibliography and referencing section of this project. While the writer, referring to the other sources, wants to answer the curiosity of her own, by understanding the perspectives

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[2] https://www.satp.org/terrorist-groups/india

of experts in the field.

II. CHALLENGES OF INSURGENCY: A THREAT TO ALL

A. Political Instability

The insurgency in India creates a serious problem of political instability. The political structure in the afflicted regions might become unstable as a result of insurgency, which frequently fosters an atmosphere of violence, mistrust, and insecurity. Political instability can take on many forms, including frequent changes in power, the emergence of extreme parties, or the exclusion of particular groups of people.

For instance, the ongoing insurgency in **Jammu & Kashmir** has exacerbated the region's political unrest. Population division has resulted from the conflict with some people supporting the government's efforts to put down the insurgency while others are sympathetic to the militants. The political landscape of the area has become deeply divided as a result with parties adopting extreme positions. Governments have frequently changed as a result of the situation in Jammu and Kashmir, with different parties vying for the public's support by promising peace and stability. It has been challenging for all parties to set up a stable government in the area though because there hasn't been a lasting end to the violence. The political instability in Jammu and Kashmir has also led to the marginalization of certain communities, particularly the Kashmiri Pandits, who were forced to leave the region due to the insurgency.

Political instability can result from insurgency because it casts doubt on the legitimacy of the administration and gives the impression that it cannot maintain peace. As a result, the public may start to lose faith in the government and turn to radical parties or organisations that make security and stability a top priority. Furthermore, since political parties compete for the favour of the populace by promising peace and stability, insurgency may result in repeated changes to the administration. Establishing a stable government in the region is challenging for all parties as there is no lasting solution to the conflict.

B. Human Rights Violation

One of the major issues with insurgency in India is the many human rights violations that result from it. Acts or omissions by state or non-state actors that violate fundamental human rights, such as the right to life, liberty, and the security of one's person, freedom of expression, and freedom of association are referred to as human rights violations.

Both the security forces and the rebels themselves have been charged with violating human

rights in the context of the insurgency in India especially in the north-eastern states. The security forces have been charged with utilising disproportionate force, torture, arbitrary detention, and extrajudicial executions in their battle against the insurgents. Public outcry and a decline in confidence in the government and security forces have frequently resulted from this.[3] The rebels, on the other hand are accused of carrying out attacks on civilians such as bombings, killings, and kidnappings as well as violating human rights such as by enlisting children for military service and using extortion. Another such example can be seen in Nagaland since the 1950s. The security forces in Nagaland have been at war with the **National Socialist Council of Nagaland (NSCN)**. The Naga people, who live in parts of Nagaland, Manipur, and Assam want to create a sovereign state. Violence related to the conflict has taken the form of bombs, shootings, and kidnappings and in Manipur where several rebel groups have been engaged in armed conflict with security forces to seek greater autonomy or independence for the state.[4]

C. Economic Disruption

Economic disruption is a significant concern related with insurgency in India. Economic disruption describes the harm an insurgency can do to a nation's economy especially in terms of that nation's capacity to maintain economic growth, progress, and stability. Economic activity can be hampered by insurgency in a number of ways. Insurgency also have an impact on tourism[5] and investment. Investment and job possibilities may decline as a result of investors being hesitant to invest in areas or industries affected by insurgency as there is an unstable business environment.[6] The **Naxalite insurgency** in central India has deterred investment in the region, which has led to a lack of economic development and job opportunities. The tourism sector and allied businesses may suffer as a result of tourists staying away from insurgency-affected regions out of fear for their safety.

For example, the **Kashmir** region has had decades of insurgency, as a result of the regular outbreaks of violence, tourism has decreased, resulting in huge economic losses for the area. Insurgency can also interfere with the flow of supply chains for basic products and services including food, medication, and fuel. Particularly in places affected by conflict, this may result in price hikes and shortages, worsening the economy's problems and causing civil discontent.

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[3] Ashish Kumar Dixit, *Human rights abuses in Jammu and Kashmir*, Vol. 2, IJMSS, 175-184 (2014).

[4] DILIP GOGOI & UDDIPAN DUTTA, UNHEEDED HINTERLAND 179-199 (Routledge India, 2016).

[5] Mukesh Ranga & Priyanka Pradhan, *Terrorism terrorizes tourism: Indian tourism effacing myths,* 1 IJSSTH, 26-39 (2014).

[6] Imlak Shaikh, *The impact of terrorism on Indian securities market*, 32 ECONOMIC RESEARCH-EKONOMSKA ISTRAŽIVANJA, 1744-1769 (2019).

For example, the frequent attacks on oil pipelines by insurgents in the Northeast region of India have led to disruptions in oil supply and significant economic losses.

Furthermore, much of the country's resources are involved in keeping internal security which restricts the flow of funds into other important domains of national interest. There starts beginning a lack of skillset in people living around the conflicted zone due to a slow economy which in turn decreases the rate of growth and a lack of livelihood leaves people in a stranded position as they are displaced due to violence, market closures, curfews etc.

D. Spread Of Extremism

Extremism can proliferate due to insurgencies, which may have long-term effects on a nation's social structure. Armed insurgent groups frequently resort to violence to advance their political objectives. Using violence to further political goals have the potential to **normalise violence** and aid in the propagation of extremist ideology. Communities are frequently **marginalised**, which can breed a sense of bitterness and grievance and lead to insurgencies. Those who believe their opinions are not being heard may become radicalised as a result of this.

Youth who are disenchanted with the political system or seeking a sense of purpose are frequently the focus of insurgent movements. Young people may find these clubs appealing because they may provide a sense of community and a sense of purpose. **Propaganda** is a tool that insurgent groups may use to disseminate their ideology and find new recruits. Social media, literature, and other types of media can be used to spread this misinformation. Outside assistance for insurgent movements may come from nations or organisations with similar ideals. The groups may become stronger and more resilient as a result of this outside assistance, which could aid in the spread of extremism.

In India, insurgency has facilitated the rise of extremism in a number of ways, creating serious security issues. Extremism among the **Sikh** community spread as a result of the insurgency that raged in Punjab in the 1980s and 1990s. Extremist beliefs and the use of violence by militant groups in their attacks on civilians and radicalization of people were also factors. Extremist ideas are becoming more prevalent among disadvantaged populations as a result of the **Naxal insurgency** in central India.[7] The economic and social exclusion of these people has given rise to the insurgency, and the use of violence by Naxalite groups has helped the growth of extremism.

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[7] Shamuel Tharu, *Insurgency and the state in India: The Naxalite and Khalistan movements*, 14 SAA, 83-100 (2007).

In fact, the spread of extremism has spread so much especially through the **CPI(M)** party which, under the **Unlawful Activities (Prevention) Act of 1967**, has been added to the **Schedule of Terrorist Organizations** along with all of its formations and front organisations and is accountable for the majority of violent incidents that result in the death of civilians and members of the security forces. The Ministry has established a separate division called the **Left-Wing Extremism Division** to address the Left-Wing Extremist insurgency holistically and effectively as a result of problems like these.[8] The Division keeps an eye on the LWE situation and any countermeasures implemented by the impacted States. The LWE Division coordinates the execution of various development programmes offered by Government of India Ministries/Departments in LWE-affected States. Although to varied degrees, the following states are regarded as having LWE: Chhattisgarh, Jharkhand, Odisha, Bihar, West Bengal, Andhra Pradesh, Telangana, Maharashtra, Madhya Pradesh, and Kerala.

E. Increased Crime Rate

There are many ways in which an insurgency might increase crime. First, to fund their operations, insurgent groups may partake in criminal activity themselves such as extortion, drug trafficking or robbery. More violence and instability may result from these illicit operations in the area. Second, criminal organisations may take advantage of a power vacuum created by the breakdown of law and order in insurgency-affected areas. *For instance*, if the insurgency weakens the police and other state institutions, criminal organisations can feel empowered to engage in more heinous criminal crimes including kidnapping or murder.

Finally, insurgency-related population relocation and disruption of social and economic networks can potentially induce an increase in crime. The disruption of established economic activities might force people into the informal sector where criminal activity may be more common, making displaced persons more susceptible to exploitation and abuse. India has seen a number of insurgencies, which have had a variety of effects on the country's crime rates. Crime, including violent crimes like murder and kidnapping as well as property crimes like theft and extortion has increased in insurgency-affected areas.

F. National Security Threats

India's insurgency is a serious challenge to the nation's security since it threatens its stability and territorial integrity. Insurgent organisations work to overthrow the authority of the state,

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[8] D. Srivastava, Armed Conflicts in South Asia, 22 (1st ed., Routledge India 2009).

and their actions can result in bloodshed, a breakdown of the economy and fatalities. Insurgency can have wider effects on national security in addition to having a direct influence on people's lives. It's possible for insurgent groups to have ties to hostile foreign governments or transnational terrorist organisations which might cause violence and instability to expand outside of India.[9]

Millions of people have been uprooted by insurgency in India becoming refugees in their own nation. This in turn generates social and economic difficulties and may aggravate already present conflicts and inequities within the impacted communities. Additionally, the insurgency threatens India's stability and capacity to exert power and influence in the region which could have a negative impact on the nation's reputation and influence abroad.

G. Mental Trauma

Those living in afflicted areas of India's insurgency have experienced severe mental health effects. The conflict has caused widespread violence, evictions, and fatalities all of which might hasten the emergence of mental health problems. Depression, anxiety, post-traumatic stress disorder (PTSD) and substance misuse are some of the most typical mental health conditions that can develop as a result of insurgency. Those who have had direct or indirect exposure to violence, such as those who have been attacked or observed the aftermath of violent acts, are more likely to suffer from these illnesses.[10]

Trauma caused by an insurgency may not only have an immediate effect on the victims but it may also have larger societal repercussions. *For instance*, the frequency of mental health problems might result in lower productivity, a poorer quality of life, and higher medical expenses. Access to mental health treatments and support networks is crucial for addressing the effects of insurgency on mental health. This might involve support for communities and families affected by the war as well as counselling, medicine, and other types of treatment.

III. INDIAN POLICIES: A STEP FORWARD

The number of insurgency-related incidents in India's Northeast, which was once plagued by numerous insurgencies, has significantly decreased. The **Ministry of Home Affairs Annual Report** for 2020–2021 notes that while peace has prevailed in the states of Mizoram, Sikkim,

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[9] LONGJAM RANDEEP SINGH, NATIONAL SECURITY PROBLEM IN INDIA: A CASE STUDY OF THE INSURGENCY PROBLEM IN NAGALAND AND MANIPUR 20 (1st ed., 2000, APH Publishing Corp.)
[10] Shahnawaz Mushtaq & Zeenat Fatima, *Psychological impact of human rights violation on Kashmiri people*, 6 IJAR, 449-452 (2016).

and Tripura the security situation in the other states of the area "markedly improved". There are various policies, tactics and laws adopted by the Indian government, Indian Army and other branches of the country in order to tackle insurgencies.

a. Surrender Policy

The government established a surrender strategy in 1998, which was updated ten years later. A militant functionary who surrenders is given Rs 4,00,000, a stipend of Rs 6,000 per month for three years, and self-employment training as part of this policy. Over the past few years, thousands of employees from all the north-eastern states have benefited from the package. The Surrender approach has been effective in lowering violence and reintegrating certain insurgents. The programme, *for instance*, has been put into practise in the north-eastern states of Assam, Nagaland, and Manipur, where it has assisted in reintegrating a sizable number of militants into society.[11]

However, the success of the Surrender policy is dependent on a variety of variables, such as the extent of government backing and resources, the rebels' readiness to hand over, and the state of security in the affected area. Due to mistrust of the government or fear of retaliation from other insurgent organisations, some insurgents may be unwilling to give themselves up.

b. Carrot And Stick Policy

The carrot-and-stick approach is one such strategy that combats insurgency because it combines **rewards** (**carrots**) and **penalties** (**sticks**) to promote or deter particular behaviours. This strategy has been used by the Indian government to combat insurgency across the nation. The "carrot" component of the programme entails providing rewards and incentives to people or organisations that assist the government in combating insurgency.[12] *For instance*, the government may provide people who give up their weapons, information about militants, or support in the rehabilitation of former insurgents with work possibilities, financial aid, and other benefits.

On the other side, the "stick" component of the policy entails punitive actions against people or groups who continue to participate in violent or insurgent activities, such as military action or legal action. This could involve military operations as well as the arrest, incarceration, and prosecution of anybody engaged in insurgent activity. The intensity of the insurgency, the extent

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[11] Niranjan Sahoo, *Half a century of India's Maoist insurgency: An appraisal of state response*, *ORF Occasional Paper* 198 (2019).
[12] Victor Asal, et al, *Carrots, sticks, and insurgent targeting of civilians*, 63 JCR, 1710-1735 (2019).

of government resources, and the readiness of the individuals or organisations engaged to work with the government are a few of the variables that affect how effective the "**carrot and stick**" strategy is.

c. Act East Policy

The Indian government developed the Act East Strategy as a strategic drive to encourage economic and strategic engagement with nations in the Asia-Pacific region with a special emphasis on Southeast Asia. Although the Act East Policy is not primarily intended to address the insurgency in India, it may nonetheless indirectly affect regional security and stability. Promoting infrastructural and economic growth in India's northeast, which has been plagued by insurgency and separatist movements for many years, is one of the main goals of the Act East Strategy. The goal of the programme is to strengthen people-to-people connections, cross-border trade and investment, and connectivity with the Southeast Asian nations that border India's north-eastern states.[13]

The expectation is that doing so will help to address some of the root reasons of insurgency, such as poverty and a lack of development possibilities, through economic development and better connectivity.[14] The Act East Policy can also improve India's security cooperation and strategic alliances with neighbours in the area. India can cooperate with its allies to confront the threat of insurgency and terrorism in the region by fostering closer ties on matters like marine security and counterterrorism.

d. Agreements Between Insurgent Groups And Government

The development of the Northeast had been significantly hampered by long-standing disputes between various states in the region. By the proactive efforts of the Central government, many long-running conflicts are now finally being permanently settled. This has helped to advance integration and trust as well as long-term peace and advancement. In order to end the 23-year-old Bru-Reang refugee crisis, which resulted from a large number of minorities Bru (Reang) families migrating to North Tripura in 1997-1998, the **Bru-Reang Agreement** was signed on January 16, 2020. As a result of the agreement, more than 37,000 internally displaced people are now being resettled in Tripura. Further, The **Bodo Accord** was signed on 27th January, 2020 to resolve the 50-year-old issue between the Bodo tribe and other tribes of Assam for a separate state of *'Udayachal'* or the 50-50 division of Assam. As a result, 1615 cadres turned themselves

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[13] Edmund Downie, *Manipur and India's "Act East" Policy*, THE DIPLOMAT (2015): 1-6.
[14] Thongkholal Haokip, *India's Look East Policy*, 25 IJIA, 7-11 (2011).

up together with a sizable cache of weapons and ammunition.[15]

There are many more agreements like the **National Liberation Front of Tripura (NLFT) Agreement, Karbi Anglong Agreement, Assam-Meghalaya Inter-State Boundary Agreement** which are peace agreements between the government and various tribes of the north-east to end insurgencies in the region.

e. The Prime Minister's Development Initiative For The North East

A new programme **(PM-devINE)** with an initial budget of Rs. 1,500 crores, was announced in the Union Budget 2022–23. The programme consists of a number of actions to support infrastructure and economic growth in the North East, including the improvement of road, rail, and air connectivity, the promotion of travel and agriculture, the creation of industrial corridors, and the designation of special economic zones. Together with promoting education and skill development, the initiative also aims to protect the region's cultural legacy. The project can assist in addressing some of the core reasons of insurgency, such as unemployment and a lack of development prospects, by fostering economic development and enhancing infrastructure in the North East. By facilitating communication and facilitating access to isolated and impoverished areas, it can also aid in improving the region's overall security condition.[16]

Through encouraging education, skill development, and the preservation of cultural assets, the programme can also contribute to the region's social cohesion. The project can assist in reducing the attraction of separatist and insurgent movements that attempt to advance a divisive agenda by fostering a sense of pride and identity among the people of the North East.

f. The Unified Command Structure

The unified command structure was initially established in Assam in 1997, and it has since undergone several reconstitutions to increase its efficacy. Representatives from **the Indian Army, the Central Reserve Police Force (CRPF), the Border Security Force (BSF), the Assam Police, and the Intelligence Bureau** make up the unified command structure in Assam. The unified command structure's main goal is to unify all state-operating security forces under a single command and control structure to ensure greater communication and information sharing amongst them. All three components of **Kautilyan statecraft** - **Sham** (peace-making through diplomacy), **Dam** (financial inducements through the disbursement of government largesse), **Danda** (the use of force through military operations), and **Bhed** (split in rebel ranks)

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[15] Subir Bhaumik, *Insurgencies in India's northeast: conflict, co-option & change*, 10 EWC (2007).
[16] https://pib.gov.in/PressReleasePage.aspx?PRID=1867079

are used today. The military's response is instant but it is frequently accompanied by federal handouts, fabricated rifts and attempts at reconciliation.[17]

g. International Cooperation

In order to combat the insurgency, the government has also sought international assistance, especially from nearby nations like Bangladesh and Myanmar, which are frequently utilised as safe havens by insurgent organisations operating in India. Russia has provided India with military equipment and training to combat insurgency in the country. In 2018, the two countries signed a memorandum of understanding on cooperation in the field of national security, which included a focus on countering terrorism and extremism.[18] The Association of Southeast Asian Nations (ASEAN) has cooperated with India to tackle insurgency in the northeast region of the country. In 2003, India and ASEAN signed a memorandum of understanding on cooperation in the field of security, which included a focus on countering terrorism and transnational crime. ASEAN has also provided India with technical and training support to combat insurgency in the region.[19]

h. Legal Methods

The investigation and prosecution of such cases generally followed the penal provisions enshrined in significant substantive laws like the Indian Penal Code, Indian Explosives Act, Indian Arms Act, etc. as well as the procedural provisions enshrined in the Criminal Procedure Code and Indian Evidence Act. Ordinary criminal incidents are typically handled as law-and-order issues. When it comes to handling the insurgency and terrorism situations in the nation, these measures are however deficient and insufficient. India has therefore passed a number of unique laws to address the country's twin concerns of insurgency and terrorism like **Armed Forces Special Power Act, Unlawful Activities Prevention Act, National Security Act, Terrorist and Disruptive Activities (Prevention) Act** etc.

IV. CRITICAL ANALYSIS: ARE THE POLICIES REALLY HELPFUL?

Firstly, beginning with **surrender policy** it doesn't deal with the insurgency's fundamental reasons, which are frequently political and socioeconomic in character. *For instance*, the desire for autonomy and self-determination has long been an issue in states like Nagaland and Manipur and the surrender policy does not address these underlying complaints. However, it provides a

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[17] *Supra,* 15.
[18] P. K. SINGH, RISING POWERS AND PEACEBUILDING 69 (Springer International Publishing, 2017).
[19] David Brewster, *India's Defence Strategy and the India-ASEAN Relationship*, 12 IR, 151-164 (2013).

temporary fix by encouraging militants to give up their weapons without addressing the more fundamental political and economic problems. Several militants who have given themselves up have claimed to have encountered prejudice, trouble finding employment, and problems with social acceptance, all of which can cause frustration and disillusionment.

Secondly, the **carrot and stick policy** to deal with insurgency gives a variety of options, enabling the government to select the strategy that is most suitable for a given circumstance. The approach may also be successful in convincing people or organisations to stop engaging in violent behaviour and integrate into society. The policy does, however, also have certain flaws. First of all, using force or punishing someone might fuel more animosity and radicalism, especially if they are innocent individuals. It's also possible that the benefits provided won't be enough to persuade people or organisations to stop using violence.

Thirdly, The **Act East Strategy** has improved coordination of security operations, intelligence sharing, and joint military exercises between India and its neighbours. This has been especially helpful in battling insurgency and cross-border terrorism. The Act East Strategy has not, however, been able to deal with the underlying issues that have long plagued insurgencies in India's north-eastern states. Instead of addressing the socio-economic and political complaints of the local community, the policy has placed more emphasis on counterinsurgency operations. As a result, rebel groups are still active in the area, albeit with diminished capabilities and they occasionally attack law enforcement and civilian targets.

Fourthly, the **agreements and dialogues** give a framework for discussing difficulties, a peaceful manner of resolving conflicts without turning to violence, and aid in developing trust between the government and the insurgents. However, the **Bodo Accord** has issues with the agreement's execution and long-term viability. The question of land ownership and control, which has been divisive in the area for decades, is one of the biggest challenges. Although the Bodoland Territorial Region has been given more land-related authority, it is unclear how these powers will be used or how disputes over property ownership will be settled. Further, another drawback of such agreements is that oftentimes the government may not be willing or able to implement the terms of the agreement and that the insurgents may not be a monolithic group, and there may be multiple factions or leaders with different goals and objectives which can make it difficult to negotiate a comprehensive agreement that addresses the concerns of all parties.

Next, the **PM-devINE policy** has many positive and negative impacts. The positive aspects

include the focus on infrastructure development, promotion of tourism, employment generation and emphasis on inclusive development but at the same time the program has faced several delays in implementation, leading to cost overruns and a slower than expected pace of development. The program's budget has been insufficient to meet the region's developmental needs. The program has also faced criticism for insufficient consultation with local communities, civil society organizations, and other stakeholders.

Furthermore, the **Unified Command Structure** enables the coordination of an insurgency response. A unified command structure may make sure that everyone is working towards the same goals and objectives by uniting various military branches, intelligence agencies, and other pertinent institutions. This could result in better information exchange and communication, as well as a more efficient and effective use of resources. The fundamental issue, however, is that managing and coordinating such a complicated system can be challenging. The success of the overall strategy may be hampered by conflicts or power struggles amongst the various military branches or other groups involved.

Lastly, the insurgency tackling laws as discussed above have some major faults in them. One of the main laws used to combat insurgency in India is the Armed Forces (Special Powers) Act (AFSPA), which grants special powers to the military in designated disturbed areas. These powers include the **ability to arrest without a warrant**, **use of force**, and **shoot-to-kill orders**. While the AFSPA has been effective in some instances in combating insurgency, it has also been criticized for its potential to violate human rights and lead to civilian casualties.[20]

The Unlawful Activities (Prevention) Act (UAPA), allows for detention without charge and a broad definition of terrorism. While the UAPA has been used to prosecute individuals involved in terrorist activities, it has also been criticized for its potential to stifle dissent and violate the rights of political activists and journalists. The NSA grants the government broad powers to detain individuals without trial or due process. This violates the principles of natural justice, which include the right to a fair trial and the presumption of innocence until proven guilty. The law allows for detention based on vague and broad criteria, such as "maintenance of public order" and "prevention of disruption". The law allows for secret evidence to be presented, and the detained individual may not have access to legal counsel or the right to challenge their detention in court. This lack of transparency and accountability can lead to the abuse of power by authorities and a violation of fundamental human rights.

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[20] Sudha Ramachandran, *India's controversial armed forces (special powers) act*, The Diplomat 2 (2015).

In conclusion, tackling insurgency in India is a complex issue that requires a multi-pronged approach. While policies such as surrender, carrot and stick, Act East Strategy, agreements and dialogues, PM-devINE, unified command structure, and insurgency tackling laws have their respective advantages, they also have limitations and potential drawbacks. It is important for the government to address the root causes of insurgency, such as socio-economic and political grievances, while also ensuring that the rights of individuals are protected and that any use of force is proportionate and in line with international human rights standards. Only through a comprehensive and inclusive approach can long-term peace and stability be achieved in India's north-eastern states.

V. EFFECTIVE TACKLING METHODS: A POSSIBLE SOLUTION

Effective insurgency tackling methods require a multifaceted approach that addresses the underlying political, economic, and social grievances that drive people towards violence, while also employing targeted security measures to address immediate threats. This includes policies that promote development, job creation, and greater political participation, as well as dialogue and negotiation with insurgent groups. Some better methods are:

i. Prevention Rather Than Cure

Supporting human rights, encouraging intercommunity communication, building relationships of trust and cooperation between various communities as well as between communities and the government can all help to ease tensions and stop disputes from getting worse. In addition to tackling inequality and marginalisation, preventive interventions may also include addressing the underlying causes of complaints, such as racial, linguistic, or religious discrimination. These underlying issues can be addressed by guaranteeing fair access to resources and services, encouraging inclusive governance and participation, and upholding diversity and human rights.[21]

The creation of the **North-East Region Vision 2020**, which emphasises the economic growth of the region to solve the socio-economic challenges that have fuelled insurgency, is one illustration of this strategy. The strategy calls for investments in infrastructure, tourism, healthcare, education, and entrepreneurship in the local area. To ensure that the advantages of development are distributed fairly and to offer the local populace alternatives to rebellion, sustainable development opportunities must be created.

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[21] *Supra, 15.*

ii. Solve Root Cause

Instead of relying on outside forces to maintain control, this strategy engages local communities and gives them the tools they need to take an active role in the growth and governance of their communities.[22] The success of the **Salwa Judum project** in Chhattisgarh is one illustration of this strategy in action. A movement called Salwa Judum, which in the local tongue translates as "peace march", was started in 2005 to quell the Maoist insurgency in the state. In order to combat the Maoists, the plan entailed organising local tribal populations and providing them with rudimentary firearms. Unfortunately, this strategy faced harsh criticism for its use of force and abuses of human rights. Salwa Judum was ruled unlawful by the Indian Supreme Court in 2011, and the government was subsequently ordered to adopt a more inclusive and participatory strategy to deal with the Maoist insurgency. In order to develop stakeholders rather than surrogates, the government introduced a new programme called "**Jan Jagran Abhiyan**", or **People's Awareness Campaign.**

iii. Increased Attempt For Reconciliation

A proactive strategy that can assist in addressing the roots of conflict and ultimately lessen the intensity of insurgency is trying to reconcile with insurgent organisations. It is crucial to remember that this strategy necessitates sincere efforts on the parts of the insurgent groups and the administration to find a peaceful solution. The continuing peace negotiations with the National Socialist Council of Nagaland (NSCN-IM), one of the nation's oldest rebel groups, are an illustration of attempts at reconciliation in India. To find a long-term resolution to the conflict in the state of Nagaland, the government has been in talks with the NSCN-IM for a number of years. A ceasefire accord and the signing of a framework agreement are two good outcomes of the negotiations. However, progress has been slow, and the government has been accused of using the talks as a tactic to buy time and contain the insurgency rather than genuinely seeking a resolution. The NSCN-IM has also been accused of being inflexible in their demands, which has led to an impasse in the negotiations. [23]

iv. Humanising Military Operations

The goal of humanising military operations is to reduce civilian losses and refrain from using excessive force, both of which frequently result in animosity and the recruitment of rebel

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[22] Nandini Sundar, *Insurgency, counter-insurgency, and democracy in central India*, MORE THAN MAOISM: POLITICS, POLICIES AND INSURGENCIES IN SOUTH ASIA, 149-168 (2012).
[23] D. Padma Kumar Pillay, *Human security approach to internal security: Case study of reconciliation and insurgency in Tamenglong, Manipur*, 42 SA, 413-421 (2018).

groups. Another crucial aspect of combating insurgency is improving intelligence. With more accurate intelligence, security forces may recognise and target insurgent leaders and their networks, weakening the insurgent group as a whole. Also, it can lessen the number of attacks and casualties among civilians. *For instance*, in Manipur in 2018, the Indian Army carried out a targeted operation that led to the death of several prominent members of the insurgent organisation, the **National Socialist Council of Nagaland-Khaplang** (NSCN-K). Because to the precise intelligence provided by local sources, the operation was effective with little collateral damage and civilian casualties.

v.   Better Neighbourhood Linkages

This entails interacting and cooperating with the neighbourhood to learn about its concerns and try to resolve them. As a result, support for the insurgents and their ideologies may decline as trust between the government and the populace grows. The administration is able to address the underlying causes of the insurgency and find a long-term resolution to the conflict through involving and engaging the local people. This strategy can be used to other Indian regions facing comparable difficulties.

VI. CONCLUSION

In conclusion, insurgency is one of the major challenges faced by India, particularly in the northeast and Kashmir regions. The reasons for insurgency in India are varied and complex, including political, social, economic, and historical factors. The effects of insurgency on India are also significant, including loss of lives, destruction of property, displacement of people, and economic setbacks. The Indian government has implemented various policies to deal with insurgency, including military operations, dialogue and reconciliation, development programs, and legal and constitutional measures. However, these policies have been met with varying levels of success, and there are several challenges and criticisms associated with their implementation. One of the primary challenges is the lack of coordination between different agencies and stakeholders, leading to overlapping and conflicting policies. Additionally, the use of force by security forces has sometimes led to human rights violations, further exacerbating the problem. In conclusion, the challenges posed by insurgency in India require a multi-pronged strategy that goes beyond military action and incorporates political, economic, and social measures. There is a need for better coordination and collaboration among different agencies and stakeholders to ensure the effective implementation of policies. Finally, it is essential to ensure that the policies are implemented with sensitivity and respect for human rights to address

the root causes of insurgency and prevent its recurrence in the future.

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