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ABSTRACT

26 November 2018 marked a decade since 10 Pakistan-based terrorists killed over 160 people in India's financial capital of Mumbai. The city remained under siege for days, and security forces disjointedly struggled to improvise a response. The Mumbai tragedy was not the last terrorist attack India faced; there have been many since. After every attack, the government makes lukewarm attempts to fit episodic responses into coherent frameworks for security-system reforms. Yet, any long-term strategic planning, which is key, remains absent. The state of India's internal security is often qualitatively linked to the incumbent government and the ability of its policymakers to appreciate security challenges. This paper argues that India needs a comprehensive and coordinated approach amidst growing and evolving threats to its security.

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INTRODUCTION

While the dominant public discourse focuses on the external dimensions of India's national-security challenge, the internal dimension is just as important. Internal security, a subset of national security, is concerned with threats and challenges emanating from within a country and has the potential to threaten public order and national security. India's internal security challenges have varied sources, such as across-the-border enmity permeating as insurgency in Kashmir, some ethnic groups opting for secessionist movements in the Northeast, sections of people resorting to violent solutions to perceived or real grievances, direct acts of terrorism aided and abetted by Pakistan, illegal migration, and organised crime.

According to the Indian Constitution, "Public Order" and "Police" figure as entries 1 and 2 respectively in the State List in the Seventh Schedule, giving states exclusive power to legislate with respect to police system and exercise full administrative control over the police. The union or central government can exercise similar powers only in the Union Territories. Under entry 2A of the Union List, the central government can deploy any armed force of the union in any state in aid of civil power. However, powers under this entry are invoked only in a serious emergency, when a state civil administration requests the assistance of central armed forces to maintain public order.

Many policing functions—such as traffic control, enforcement of civic laws, investigation of "ordinary" crimes, and routine law-and-order problems—can be effectively supervised by state-police forces. However, the police are the first responders in almost all internal-security crises and have to deal regularly with organised crimes, cyber crimes, terrorism, insurgency and large-scale political violence. The nexus between terrorists on the one hand and organised-crime

syndicates (such as smugglers and drug traffickers) on the other has added a new dimension to the internal-security situation. The legal and jurisdictional lines between terrorism and organised criminal activities are often blurred, especially given the difficulty in defining these concepts.

At present, there is no national agency to deal with organised criminal syndicates (of which there are many operating in various states) and advise states on coordinated preventive action. Since 'police' is a state subject, the powers of the central government to make an intervention is limited, except when the entire state administration is taken over by the central government. The Constitution does not provide for central intervention in serious situations that pose a potential threat to the security of the nation. Thus, despite terrorist activity being one of the major national-security threats for India, the internal-security mechanism seems unprepared to deal with such situations, due to political reasons and limited operational capacity of police and intelligence organisations.

Intelligence, physical security, coordination amongst agencies, investigation and crisis management are considered the most important components of counterterrorism activity. If the intelligence apparatus fails to provide early warning about an act of terrorism, the physical-security machinery should be able to prevent the terrorists. In the event that both intelligence and physical-security mechanisms fail, the crisis-management processes should be effective enough to cope with the consequences.¹ Not much data is available in the open domain about the lapses. However, a careful analysis of some previous instances of terrorism indicates that intelligence, physical-security and crisis-management apparatus in India have not performed commendably. After each major terrorist attack, the citizens question how such incidents keep happening despite years of experience in countering

terrorism and insurgency in various parts of the country. The answer is that India's institutional capabilities to fight terrorism have stagnated or have developed only marginally. Even the Modi government, which has highlighted the need for a robust security policy, has dithered on key security-sector reforms. Many crucial projects relating to internal security remain pending.

INDIA'S NATIONAL SECURITY ARCHITECTURE

There are two styles of counterterrorist activities: a criminal justice counterterrorism, which deals with acts of terrorism within a law-enforcement framework; and a militaristic counterterrorism, which views terror as a threat to national security and, thus, to be countered with armed force. India uses a combination of both styles: intelligence, military, and police organisations together contribute to counterterrorism (CT) efforts.

Given India's large population and its heterogeneous character, the Indian Constitution has distributed certain powers between the central government and the state governments. While maintenance of law and order is a state subject, the federal nature of Indian polity complicates the structures needed for counterterrorism. Thus, India's performance in policing terrorism has been mixed.

Despite constitutional provisions, the central government has raised seven Central Paramilitary Forces (CPMFs), which are regularly deployed for law-and-order duties along with the police forces of respective states. These seven CPMFs are the Central Reserve Police Force (CRPF), Border Security Force (BSF), Assam Rifles, Central Industrial Security Force (CISF), Indo-Tibetan Border Police (ITBP), Seema Surksha Bal (SSB) and the National Security Guard (NSG). The personnel of all seven CPMFs total around one million.

The CRPF, the most important of the CPMFs, performs a wide range of duties, including management of law and order, counterinsurgency and counterterrorism, all over India. Though the BSF, the ITBP and the SSB are primarily meant for border security, they play a crucial role in counterinsurgency and counterterrorism operations in three critical conflict zones: the Northeast, Maoist-affected areas and Kashmir.

The Intelligence Bureau (IB), India's main intelligence agency, functions under the Ministry of Home Affairs and is responsible for internal security and intelligence. The IB is considered the nodal counterterror agency and works closely with the state police and the central paramilitary forces on counterterrorism intelligence. However, it cannot fully execute this function because it has no legal authority to investigate an offence, arrest anyone or prosecute them in court. The Research & Analysis Wing (RAW), India's premier external intelligence agency, operates under the cabinet secretariat and, thus, reports to the prime minister. Rivalries between the IB and the RAW often hamper overall intelligence effectiveness.² Other intelligence agencies, such as the Central Economic Intelligence Bureau and the Directorate General of Military Intelligence, also perform counterterror functions as part of their organisational mandate.

After the 1999 Kargil incursion, the central government conducted a comprehensive review and reform of India's intelligence apparatus in particular, and national security system in general. Based on the recommendations of a Special Task Force, the government set up a revamped national-security mechanism. The main features of the new mechanism included the creation of a National Security Council (NSC), chaired by the prime minister and consisting of a few cabinet members to discuss national-security issues; a Strategic Policy Group (SPG), headed by the cabinet secretary³ and comprising the professional heads of the ministries concerned with national security and the heads of

intelligence agencies and armed forces, to work out policy options and submit them to the NSC for consideration; a National Security Advisory Board (NSAB) consisting of non-governmental experts to provide policy inputs to the National Security Council Secretariat (NSCS), which was set up to aid the work of the NSAB, the SPG and NSC; and the National Security Advisor (NSA) to oversee the functioning of the new mechanism and to advise the prime minister on national-security issues.

Recently, the central government has effected a change in the SPG. It will now be headed by the NSA instead of the cabinet secretary. Its 18 members include the three service (army, navy, air force) and two intelligence chiefs (IB and RAW); defence, home, finance, revenue, and space secretaries; the governor of the Reserve Bank of India; and vice chairperson of the NITI Aayog. The Joint Intelligence Committee (JIC), a part of the NSCS, collates national-level intelligence inputs from all intelligence agencies and presents its independent analysis to the Cabinet Committee on Security (CCS). The Defence Intelligence Agency (DIA), as a nodal point to coordinate the activities of army, navy and air-force intelligence, complements the work of the RAW.⁴

UNFINISHED REFORMS

Since the 26/11 Mumbai attacks, India's counterterrorism architecture has been revamped, with the creation of the National Investigation Agency (NIA) to improve investigation capabilities. Deployment of the National Security Guard (NSG) has also been decentralised, with four NSG hubs in different parts of India. The NSG is now a fully functioning terror-fighting agency. The amended Unlawful Activities Prevention Act (UAPA) has given new powers to the security agencies, including the ability to hold terror suspects for six months without charges.

Given the complexities involved in India's national-security architecture, it is crucial to improve coordination between various federal and state-security agencies. Following the Mumbai attacks, the first step in this direction was the strengthening of the Multi-Agency Centre (MAC), an intelligence-sharing "fusion centre" created within the IB in 2002 in the aftermath of the 1999 Kargil incursion. The national MAC coordinates across approximately two dozen representatives from the intelligence agencies in the home, finance and defence ministries.

Much of the intelligence sharing between the centre and states happens through the state offices of the IB and the Subsidiary Multi-Agency Centres (SMAC) as well as through the connectivity between the SMAC and the state-police special branches. Currently, 429 SMAC nodes and 251 district-police offices are connected to the MAC/SMAC Network.⁵ However, personnel shortages have hindered their efficacy, and in practice, they function as little more than state-level IB offices. That much of the intelligence inputs into the MAC come from only a handful of states reflects the fundamental weakness of many of India's state-police services. Moreover, under constitutional provisions, intelligence sharing depends on the goodwill of the states: if a state is unwilling to cooperate with the central government, it cannot be forced to do so. Each agency guards its own turf, and coordination mostly depends on the interpersonal relationships between the officials of the agencies.⁶

Due to this ad-hoc process, and because of India's federal structure, the current national-security architecture (and counterterrorism structure in particular) is faulty, as there is no single authority from which these agencies receive unified directions. Countering terrorism in India is fraught with numerous difficulties. The legal structure, a legacy of the colonial past, has been struggling to cope with the demands placed upon it. India's Ministry of Home Affairs (MHA) oversees

national police, domestic intelligence and paramilitary forces. The major legislation to deal with terrorism in India is the UAPA. Some Indian states, such as Maharashtra and Karnataka, have their own laws, which are used to prosecute suspected terrorists. The Terrorist and Disruptive Activities (Prevention) Act (TADA), the first anti-terrorism law to define and counter terrorist activities, was allowed to lapse in 1995.⁷ When there were several allegations of misuse in the application of the new anti-terror law, the Prevention of Terrorism Act (POTA), it was decided to repeal the act in 2004. This was followed by an amendment to the already existing UAPA.

India's experiments with TADA, POTA and UAPA have failed to deliver the desired results. There have been allegations that these anti-terror laws are designed to shield or harass a particular community. The Second Administrative Reforms Commission (ARC) of India, in its report in 2008, said, "A comprehensive and effective legal framework to deal with all aspects of terrorism needs to be enacted. The law should have adequate safeguards to prevent its misuse."⁸

No intelligence organisation can remain static in the face of growing technological complexity, geopolitical uncertainty, the changing nature of terrorism, and increasing media intrusion. The US vastly improved its intelligence collection, coordination and assessment system immediately after the 9/11 terror attacks. India, however, did not overhaul its intelligence apparatus after 26/11.

The sweeping internal-security reforms initiated after the Mumbai attacks were followed by the announcement of central government's intention to create a National Counter Terrorism Centre (NCTC) and a national computerised information-sharing network, known as the NATGRID. But the greatest failure of the post-Mumbai reforms was the NCTC, which was supposed to be established within a year of its

announcement in December 2012. The central government's efforts to set up the NCTC—whose aim included preventing, containing and responding to terrorist attacks—were trapped in the political quagmire of centre–state relations. Thus, the intended launch of the NCTC had to be put on hold. The non-Congress ruling states of Gujarat, Tamil Nadu, Odisha, Karnataka, Bihar, Tripura and West Bengal were opposed to the proposal; their main contention was that the NCTC would violate the principle of federalism. Under the Indian Constitution, “public order” and “police” are state subjects and, thus, the sole preserve of a state government.

The NCTC was conceived as the centrepiece of internal-security reforms. It was modelled on the American institution of the same name, which functions as a centre for joint operational planning and joint intelligence. India's NCTC was meant to subsume the MAC and its operatives would have arrest powers throughout India. Many state governments vehemently opposed it, citing two reasons. First, the NCTC's power to arrest any suspect and to carry out operations without prior approval from and knowledge of the respective states. Second, its “power to seek information, including documents, reports, transcripts, and cyber information from any agency” to carry out its functions. Civil-liberty activists, too, saw the move as an unconstitutional expansion of government control. In the face of such opposition from several quarters, the scope of the NCTC were steadily narrowed down: first, the operational wing was eliminated; then, the NCTC as a whole was placed under the control of the IB.

In wanting to copy the US model, the MHA had overlooked a significant detail: The US NCTC is part of its Directorate of National Intelligence (DNI), which is manned by officials from the Pentagon, FBI, CIA and other agencies who can access its databases. The centre analyses and collates terrorism-related information to support counterterrorism

operations of intelligence agencies. However, it is not authorised to conduct intelligence operations on its own and has no powers to investigate or arrest.⁹

The IB's control over the NCTC became a major source of controversy. It is a general principle in all liberal democratic countries that an intelligence agency should not possess police powers of arrest. The opposition parties expressed fear that if the NCTC was made part of the IB, the powers given to it under the UAPA could be misused. Presently, the IB is largely insulated from any parliamentary oversight, and its lack of parliamentary accountability will be further perpetuated by the NCTC.¹⁰ The politicisation of India's intelligence agencies has allowed the ruling parties to use them to monitor the activities of opposition leaders. For instance, Bihar Chief Minister Nitish Kumar had opposed the proposed structure of the NCTC on the ground that it was to be "created within the Intelligence Bureau, which is a secret intelligence organisation without any accountability to Parliament or the court."¹¹ There have been several allegations that the previous UPA government used the NIA for political purposes, to probe right-wing terror cases such as the 2006 Malegaon blasts and the 2007 Samjhauta Express bombings. However, amidst all allegations and counter-allegations, more than 10 years after the Malegaon blast in 2008, the NIA court framed charges against the accused under the UAPA and various other sections of the IPC for their alleged involvement in the blasts. The NIA court has already rejected the pleas of the accused who challenged the invoking of UAPA.¹²

Additionally, the turf war between the intelligence agencies operating under different government ministries contributed to the difficulty in establishing NCTC. In making the NCTC a part of the IB, instead of allowing it to be an independent institution, the MHA made people more distrustful of it. According to B. Raman, a former senior

official of the RAW, “There were inadequate consultations even at the centre as one could see from the opposition expressed by an increasing number of ex-RAW officers to the move to make the NCTC a part of the IB.”¹³ Finally, there have also been several accusations that security agencies show bias against minority communities, particularly during counterterror operations.

In 2014, the BJP’s election manifesto had criticised the UPA regime for its inability to create NCTC. According to the document, “The government has been unable to evolve political consensus in the country for the establishment of a Centralized body such as the National Counter Terrorism Centre (NCTC) to collectively combat terror.”¹⁴ But the change of regime at the centre could not revive NCTC’s fortunes. As the Minister of State for Home Hansraj Ahir said in November 2016 to the Rajya Sabha, the “[o]perationalisation of NCTC has been kept in abeyance as some states raised concerns regarding its structure, functions and mandate. A final decision on operationalisation of NCTC is yet to be taken.”¹⁵

Other internal security reforms have received mixed responses. The NATGRID was originally envisioned as a unified database that would compile a wide variety of currently available intelligence inputs. It has acquired some of the world’s most advanced data-mining software that can be used to track and potentially predict terrorist attacks. The system has faced internal resistance, however, particularly from the IB, which feels that NATGRID encroaches on its turf.¹⁶ Ten years after 26/11, NATGRID has not come out of its embryonic stage. In fact, it remained without a head for two years between May 2014 and July 2016. It was likely to be partially functional around the 10th anniversary of 26/11, but full functionality cannot be achieved before March 2019.¹⁷ Some of the features of NATGRID will be replicated by the Crime and Criminal Tracking Networks & System (CCTNS), which is meant to seamlessly

link India's 15,000-plus police stations to allow for better information sharing. The NCRB chief recently announced that 14,749 out of the 15,655 police stations in the country have been connected with the CCTNS.¹⁸

However, some challenges remain. The CCTNS received no financial allocation for two consecutive budgets for 2014-15 and 2015-16, hampering the progress of the project.¹⁹ While CCTNS was designed to be used in conjunction with the e-prisons system, the integration has not been successful, inconveniencing the police as they "upload the data on the CCTNS and later print out a hard copy to take to the court."²⁰ The National Investigation Agency (NIA) has also faced backlash from the states, which resist giving up their jurisdiction over policing. Nonetheless, the central government continues its efforts to make it the leading national agency.

POLICE INCAPACITY

Until the 2001 terror attack on the Indian Parliament, intelligence was rarely used to inform investigative strategy in mainstream policing function, although there was an intelligence architecture supporting higher policing function, and some sections of the police service utilised intelligence, often to support covert-policing strategies. Knowledge of intelligence-gathering techniques was passed down from generation to generation within police's special branches/units as a form of oral history. The craft of the trade that such units used were often hidden behind the opaque screen of "need to know." While there could be perfectly sensible reasons for limiting access to such knowledge, the outcome has been a limited ability of police officers outside those discrete units to identify "best practices" to improve their professional practice for countering the growing challenges of organised crime, terrorism, insurgency and political violence. Additionally, terror attacks

have the effect of bringing the failings of police-intelligence work into public view.

The Mumbai attacks of 2008 and Pathankot airbase attack of 2016 exposed key vulnerabilities in India's policing system, primarily that it was woefully inadequate in combating suicidal assaults. Ajai Sahni, executive director of the Institute of Conflict Management, is accurate in locating the problem in "the glacial pace of an early 20th century structure of governance trying to cope with an exponentially accelerating 21st century problem,"²¹ saying that Indians "can't have first-rate counter-terrorism in a third-grade policing system."²²

The criminal justice system cannot function without a healthy police and investigative agency. However, India's criminal justice system faces huge challenges, with a poorly trained and understaffed police force and insufficient modern equipment at their disposal. There is considerable variation in the size and competence of India's various state-police forces. India's low police-to-population ratio of about 180 per 100,000 is much lower than what the United Nations recommends for peacetime policing. In Western countries, the police-to-population ratio ranges from 250 to 500 per 100,000. According to India's Bureau of Police Research & Development, 24 percent of posts in the police forces nationwide are vacant. Uttar Pradesh has the largest number of vacancies, with only 181,000 police personnel against the sanctioned strength of 363,000.²³ Moreover, because of India's notorious VIP culture, only a dismal number of police personnel are available for the security of the common citizen. Calculating against the population, only one police officer is available for the security of 729 Indian people, leaving the police personnel overburdened.²⁴ Given the acute shortage in their ranks, police personnel are required to work long hours, without a break, and rarely get to take their weekly off, leaving them stressed and

frustrated. This has a huge bearing on their professional responsibilities, including counterterrorism duties.

The police in India are trained to deal with law-and-order problems. When faced with terrorism and insurgency, they find it difficult to respond effectively. To successfully prevent terrorism, the public must be willing to share with the police any vital information or suspicious activity in their locality. However, even after 70 years of the country's independence, the image of the Indian police has not improved and they are often viewed with suspicion. There are several reasons for this.

First, political authorities still have a stronghold over the police. Political interference in the functioning of the police, which has become a norm, leads to the abuse of authority. For instance, whenever a new government is elected, the first thing it usually does is to replace the Director General of Police of the state. Thus, people do not trust the police and perceive them as partisan and politicised. Nothing confirms this perception more than the frequent demand for probes by the Central Bureau of Investigation into crimes that can be effectively handled by the Criminal Investigation Department of the state police.

Unfortunately, many police officers deliberately allow their professional autonomy to be dominated by political pressures in an attempt to please the political masters. Police officers cannot be insulated from political pressures if many of them are willing participants. The most undesirable fallout of political interference in police functioning is the decline in its ability to respond effectively to difficult and violent situations. Instances of failure of police leadership far outnumber the achievements. For instance, Haryana Police's handling of the incidents at Panchukula in the aftermath of the conviction of the self-styled Godman Ram Rahim Singh displays police ineptitude and lack of professionalism. It was a re-enactment of their poor performance in responding to the previous Jat agitations.

Many state governments have a vested interest in perpetuating the presence of central forces in their state, as it allows them to shift the financial burden of responsibility for dealing with critical law-and-order situations to the central government. Ved Marvah, a former governor of Manipur, Mizoram and Jharkhand, says that when a state government is reluctant or fails to deal with violent conflicts and anti-national movements, “instead of strengthening the state police machinery, it rushes to the Centre to hand over its responsibility at the first sign of any serious trouble. It is not surprising that in these states some sections of the police have actually joined hands with the subversive forces against the central forces.”²⁵ Only when the operational capabilities of the state police are improved at the local level can counterterrorism efforts succeed.

Corruption in the police forces further aggravates the challenge of fighting terrorism, as there is a close relationship between crime, corruption and terrorism in India. For instance, criminal gangs such as ‘D Company’ have widespread smuggling networks that include corrupt police and customs officers. Moreover, politicians often manipulate the police for nefarious purposes or turn a blind eye when officers remain inactive in the face of communal disorders.

While terrorists invariably have political objectives, criminal syndicates do not. Once established, a criminal network of drug traffickers and smugglers will continue to flourish and systematically corrupt the administrative machinery at various levels. As early as 1993, the Vohra Committee made startling revelations about the penetration of organised crime in India. In the past quarter-century, it has gripped almost every aspect of national life. However, only few states—Maharashtra, Delhi and Karnataka²⁶—have specific laws to combat organised crime. Punjab had begun the process of enacting a similar law,

the Punjab Control of Organised Crime Act (PCOCA), which now seems to have fizzled out.²⁷ On 15 November, the Madras High Court, while calling for details of political parties that had appointed “persons with muscle power/criminal background” as office bearers, also asked the government to explore the possibility of a special law to deal with organised crime.²⁸

In 2006, the Supreme Court of India, in a landmark judgment, ordered the central and state governments to implement some crucial police reforms, the most important one calling for a separation of the investigation and law-and-order functions of the police. Moreover, the order to establish the State Security Commission is primarily to ensure that the state government does not exercise unnecessary influence or pressure on the police. However, all state governments have displayed absolute indifference to the court order.²⁹ The police are not insulated from partisan politics, because the state governments do not allow the police to develop into an efficient and effective service. All governments want the police to behave as ‘the armed wing of their ruling party’ since much of the power of the executive (in a post-colonial system such as India) is derived from the control of police.

Additionally, the states are reluctant to provide resources to the police forces. In 2017, the central government approved INR 25,060-crore for an internal-security scheme to strengthen the law-and-order apparatus and modernise state-police forces. The umbrella scheme, “Modernisation of Police Forces,” is scheduled to be implemented between 2017 and 2020. The central government’s share is INR 18,636 crore and that of each state is INR 6,424 crore. It has special provisions for women’s security, mobility of police forces, logistical support, hiring of helicopters, upgradation of police wireless, satellite communications, crime and CCTNS and e-prisons, for assisting the states to upgrade their police infrastructure to help them tackle emerging challenges.³⁰

However, after the recommendations of the 14th Finance Commission, which increased the share of states in central taxes from 32 percent to 42 percent, the central government de-linked eight centrally sponsored schemes from its support in 2015, which included the Modernisation of Police Forces. The official explanation was that with a higher devolution of financial resources to the state government, they should shoulder the additional burden. The central funding for the scheme was thus stopped, but the non-plan funding for the same continued. While the arrangement may be theoretically sound, it could not work practically, since most of the state governments were not interested in investing in the police forces. Thus, the modernisation scheme became a casualty.³¹ Finally, the MHA realised the perils and reverted to the old arrangement of releasing annual funds for modernisation. The Union Home Minister Rajnath Singh stated, “The government had already increased the outlay to states as per the 14th Finance Commission recommendations, from 32 per cent to 42 per cent. It was earlier felt that police reforms would also be funded by states. But today, we have decided to approve the umbrella scheme over and above that.”³²

With police reforms taking a backseat, the command-and-control system of the police is also in a state of utter breakdown. The way the police handled the Mumbai terror attacks demonstrates that they are not trained in the task of confronting modern-day terrorism. The attack manifestly revealed the catastrophic weaknesses in India's police and intelligence apparatus. The poor job was not only due to lack of nerve on the part of the top police leaders but also due to poor command-and-control. The Mumbai Police Commissioner “did not take charge of the situation and allowed all and sundry to jump into the fray and create a chaotic situation.”³³ In a recent interview, former union home minister, P. Chidambaram disclosed that as both the union home secretary and director of IB were about to retire, he spared them from suspension and instead continued with their knowledge of the situation.³⁴

The failure of intelligence agencies to anticipate major terror attacks and “to apprehend most of those responsible over the years, speaks not just to weak, under-motivated, and under-equipped police forces but also to dubious intelligence capabilities.”³⁵ There is a great deal of difference between the failure to collect intelligence and the failure to act on it. Understandably, the outrage is more when such failure to act leads to terrorist disasters, as it happened in 26/11. Sharing of intelligence among various agencies was also a problem, as revealed by Chidambaram. He has lamented that “the complete lack of sharing of intelligence between various organisations was a big problem. The army, navy and other agencies were not sharing their inputs with each other.”³⁶ Despite the intelligence warnings delivered to the Mumbai police, one of the reasons it could not act in a professional manner was due to the political environment at the time, which tended to visualise and dismiss terrorism as a North Indian or border-provinces’ problem.³⁷

India’s former prime minister, Manmohan Singh, had underlined the importance of state police and intelligence agencies in the fight against terrorism when he said, in September 2006, “Unless the beat constable is brought into the vortex of our counter-terrorist strategy, our capacity to pre-empt future attacks would be severely limited.”³⁸ Prime Minister Narendra Modi, at the Guwahati Conference of the Directors General of Police in November 2014, discussed the concept of SMART Police: a police force that is sensitive, mobile, alert, reliable and tech-savvy.³⁹ However, there has hardly been any developments in that direction, since not much has been done to either insulate the police from external influences or improve the orientation and operational capacity of police officers. India’s policing apparatus – the ‘first responders’ in case of any serious internal security threat – remains ill-equipped and substantially unprepared.

CONCLUSION AND RECOMMENDATIONS

In the US, in the aftermath of 9/11, the government appointed a high-powered commission to look into the attacks. In India, no such commission was appointed by the Government of India after 26/11. The BJP's 2014 election manifesto had emphasised the need to improve India's internal-security system. In particular, to "[r]eform the National Security Council to make it the hub of all sector-related assessments. It will be accountable for real-time intelligence dissemination ... Completely revamp the intelligence gathering system..."⁴⁰ However, no concrete measures have been taken to improve the capacity-building of police and intelligence agencies. It remains to be seen how, and if, the recent change in the organisational structure of the SPG in the NSC will improve the national-security mechanism.

Despite the 'strong' government at the centre, no attempt has been made to codify India's security doctrine. There does not seem to be any strategic vision for Jammu and Kashmir. As recently underlined by N.N. Vohra, former governor of Jammu and Kashmir, during first K.P.S. Gill memorial lecture organised by the Punjab police, "[The] situation in Kashmir is worsening since 2012. We are managing the war in the state on a day-to-day basis, but nowhere near to stop it."⁴¹ India's response to daunting internal-security challenges such as terrorism and insurgency has largely been characterised by improvisation and a lack of long-term planning, which has led to meta-institutional innovations and over-centralisation, as well as the state governments abdicating their constitutional responsibilities. Unless India improves the quality and functioning of its entire internal-security apparatus, the country will remain acutely vulnerable to threats. This paper makes the following recommendations:

- To deal with internal-security threats, the first responders, i.e. the police, need to have modern equipment and training. The

scarcity of trained and well-equipped police personnel often results in neglect of professional responsibilities, avoidable “short-cuts” and security lapses.

- Basic training in the police forces must be improved. Successive national commissions have highlighted the need for proper training, which have largely been ignored. At present, low morale is prevalent among the staff and faculty of most police colleges and academies in the country. Trainees are not deriving inspiration. There is a need to post experienced and competent faculty members in these academies, like what is being done in the training institutions of the defense forces. Training institutions in most states also lack basic facilities like a library, classrooms, and equipment. This situation must be corrected.
- Refresher courses must be introduced and implemented at all ranks. Today, police constables constitute 80 percent of the police organisation. After their basic training, they barely receive any in-service training program. This is unfortunate given that the constabulary is at the grassroots and their performance impacts the response to a terror attack or any other serious internal security crisis. The curriculum at the police academies should also be constantly updated. The open-source sociopolitical aspects of basic training can be outsourced to experts in the field.
- Local policing is best done by the state police. However, dealing with phenomena such as terrorism, insurgency, organised crime and cyber crime needs coordinated responses.
- There is an acute shortage of cyber specialists in state police and central paramilitary forces, who can continue to work in their area of specialisation after their limited tenures. Even when some officers develop a degree of specialisation in the cyber domain,

their next appointment often takes precedence over retaining domain expertise. This must be addressed and resolved.

- The recruitment system in the state and central police organisations leaves much to be desired. Human resource experts are not part of the recruitment committees and there are complaints of corruption and irregularities in the recruitment process. There is an acute need to standardise the norms of recruitment and institutionalise a fair and transparent system of recruitment. An accelerated recruitment drive to fill all sanctioned posts in the police force should be the highest priority within a time-bound framework. The state police forces should be expanded to the 220 police per 100,000 population.
- There is an urgent need for improved counterterrorism coordination between national-level and state-level security agencies. Intelligence flows generated through the state-police apparatus must be coordinated in real time with national databases.
- The government must consider setting up a separate Ministry of Internal Security (MoIS).
- The NCTC must be established and should function directly under the MoIS. 

ENDNOTES

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