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# Maoist Insurgency : Impending Escalation and Dimensions of The State's Armed Response

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## About the Author



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He has also authored two books, namely, "The 21<sup>st</sup> Century Army: Strategies for the Future" and "Reign of the Red Rebellion: Observations from Naxal Lands". He is also a regular participant in security related seminars and workshops. He is a Member of the Executive Council at the Vivekananda International Foundation.

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## Preview : A Gathering Storm

### Resurgence of Maoist Violence

Since the mid-2011 or so, the intensity of Maoist insurgency had somewhat been less spectacular as compared to the preceding years. Indeed, there had been many Maoist-Police encounters during this time, mostly in Jharkhand and Chhattisgarh, but the frequency of such incidents had shown a definite downslide. More than that, these encounters had not been so one sided in favour of the insurgents as it had been the case in the past, though the insurgents (1) still retained an upper hand as evidenced by the casualty ratios, loss of police weapons and the acts of unencumbered assembly, attack and dispersal that the insurgents were able to perform without much difficulty.

No doubt, this period of relative down-trend in armed engagements was rooted at the caution exercised by the government after it was chastised by a series of massacres perpetrated upon the inadequately prepared police forces that were set out to rein in the insurgency in its bastions. Presently therefore, police forces are going cautious and selective in their 'Anti-Naxal' operations while they modernise, equip and train. At the other end, the Maoists, being conscious of the inevitability of escalation of armed confrontation with the forces of the Union, have decided to utilise this period to strengthen themselves organisationally, financially and militarily. Meanwhile, they have also undertaken to marshal their armed strength to prevent the state (2) from intruding into the areas of their established domain. Thus there is little doubt that with both the contestants in consolidation mode, the statistical dip in Maoist related violent incidents was but illusionary; the signs of escalation are already being seen.

To those initiated in Maoist methods, the notional slow down in the rebel's armed activities was a standard deceptive ploy, adopted to consolidate and prepare for the inevitable show down once the police forces have, by and large, completed their modernisation and expansion. Besides, most

of the States had been going slow in pro-active counter-Maoist operations either due to political reasons or to allow preparatory time to the police. Thus, while the frequency of clashes had reduced, the Maoists had a free run in imposing their will upon the inhabitants, business community and the state-functionaries of the affected areas. No doubt, the state authorities responsible for controlling the Maoist menace were conscious of this anomaly, but bereft of a better alternative, had, in all earnestness, opted to accept it, albeit temporarily.

That was the situation that prevailed till May 2013 when the period of ominous inactivity was shattered by the ambush of the Congress Party convoy in *Sukma Hills* in the Chattisgarh-Odisha region. There have been some more Maoist attacks since then, including the most distressing event of targeting a passenger train in *Jamui* in Bihar-Jharkhand region. Notably, all these incidents have taken place in Maoist dominated areas, their 'domain', which they have explicitly committed to defend against the state's 'intrusion'. To that extent, the recent escalation in acts of violence are, most certainly, aimed at keeping their sanctuaries off limits to their declared enemies. Renewal of terror may also be motivated by the need to retain hold over the cadres and to reaffirm their organisational power. The insurgents' plan to gear up to be able to stand up to the impending state offensive has hit a plateau in terms of its fiscal sustainability, and this could be another reason for the Maoists to start flexing muscle. Whatever be the case, this kind of escalation was well anticipated, though it was expected that it would take another year or so to manifest. Obviously, more action may be expected in the coming days.

Indeed, there is nothing to indicate any possibility of reconciliation between the Maoist hard line and the sanctified ordinations that the Indian state is obliged to uphold. It was, therefore, prudent for the Central and the affected State governments to prepare for a looming flare up in confrontation with the Maoist insurgents. Adoption of deliberate and comprehensive measures to respond effectively with force to disarm the insurgents was, and continues to be, one distinct part of that preparation. As stated, such preparations are underway, though the pace is slow on account of logistic complexities, and more than that, a mix of banal hope, manipulative interests and complacency among the regional politicians and their committed state functionaries.

## Scope and Layout of the Paper

The state's response to the Maoist rebellion has multifarious dimensions. To retain focus therefore, the discussion in this paper has been confined solely to the aspects of *the state's armed response* to the Maoist insurgency. In so doing, certain experiences gained in the conduct of counter-insurgency operations across the globe, as relevant to the present situation in Central India, has been taken cognisance of.

The issue is proposed to be discussed in four parts. In the first Part, the government's current strategy to control the Maoist insurgency has been touched upon. It has also been argued that this strategy may be better reinforced by enunciation of a 'Grand Policy' that covers the limitations of the government's existing strategy.

Part 2 elaborates upon certain 'Executive Measures' which could play catalytic role in weakening the stranglehold of the Maoists and so reinforce the hands of the forces of the Union that are deployed on counter-insurgency operations.

In similar vein, certain 'Tactical Measures' that would help the Union's forces in undertaking their charter with better results, have been discussed in Part 3. At the end, in Part 4, mention has been made of certain 'Legal Measures' which could be thought of to empower the state in denying the impunity that is enjoyed by the organised violators of the Indian constitution.

## Part 1 : The State's Counter-Insurgency Strategy

### Government's 'Action Plan' and the Impediments

After nearly two decades of procrastination, the policy makers have finally woken up to the need to preserve the integrity of the state against the rising spread of Maoist intransigence. That charter is sought to be met by adoption of a well articulated 'Integrated Action Plan' (IAP) - a 'two prong' policy, so to say. One prong of this policy envisages improved governance and economic development to ameliorate the causes of the rebellion, while the second prong aims at strengthening the police forces for them to be able to defang the Maoist's armed wing: the 'People's Liberation Guerrilla Army' (PLGA). Thus, nearly two year after the process of

modernisation and training of counter-Maoist police forces was vitalised, police actions, selective and limited in scope, have commenced in few areas of Jharkhand, Chattisgarh, Bihar, Maharashtra and West Bengal – and to very limited extent in Odisha,. In these operations, police forces have been able to clear the insurgents' presence from certain designated areas so as to provide space for the government sponsored socio-economic schemes to commence. Yet, even as the government's counter-Maoist action plan slowly gets into steady gear, there are reasons to be circumspect.

The government's 'two prong' policy is somewhat akin to the 'stabilisation' strategy adopted by the International Security Assistance Force (ISAF) in Afghanistan. This is a plan to 'clear, hold and develop' that hinges upon execution of progressive socio-economic schemes for the state institutions to gain people's confidence and thereby upstage the latter's backing of the Maoists. However, what few schemes have been undertaken are marred by tardy planning and languid execution. Besides, implementation of many schemes have been virtually taken over by the Maoists to strengthen their grip over the local beneficiaries at the government's expense. It would therefore be simplistic to expect the Maoist support base to dissolve any time early. In any case, local inhabitants are in no position to repudiate the Maoist's rulings which are invariably made under implicit threat of summary retribution. This situation, when seen in light of the fact that arrogated by their success, the Maoists have no intentions to come to terms with what they refer to as a 'decadent state', escalation of armed confrontation between the state and the insurgents may well be anticipated.

The confrontationist situation is exacerbated by the compulsions of a developing, over-populated and poverty-ridden nation. People's mounting demands for economic betterment leave no choice to the government but to sustain progress that must be contingent upon expansion and accelerated exploitation of the primary reservoir of natural resources. Conversely, galloping consumption of raw materials can be met only by massive churning of the forests and mineral-rich plateau lands, which in turn would cause large scale displacement of the inhabitants besides inflicting environmental degradations of serious, long term consequences. Given the state's track record of rehabilitation of either the people or the nature – or rather its callous disregard – this is a vicious cycle that has strong potentials to mar any hope of harmonious management of national

progress. Societal tension and confrontations – based on demands genuine or impractical, spontaneous or instigated – may therefore be expected to boost the Maoist rebellion over large parts of India. It may not be possible for the government to have enough forces to suppress the turmoil of that scale in one stroke, or even to ‘hold’, against return of the rebels, all of those areas which might have been ‘cleared’ once. Thus in the overall context, it would be obligatory for the government to operate with what forces it may be able to muster. And that obligation would have to be met either against agitations of the people or their non-cooperation which might either be instigated by the Maoists or imposed under their threat. This aspect adds to the complexity of the successful undertaking of the ‘clear-hold-develop’ policy.

Finally, notwithstanding brave and encouraging articulation of intent, the fact is that the state has neither the forces to ‘hold’ with any degree of permanency, the expanse where the Maoists operate, nor the institutional mechanism to carry out development work at that scale. Obviously, the rebellion may be brought under control only after a long period of sustained commitment that is bereft of political and fiscal chicanery.

### **The Decree of Armed Response**

There is no doubt that in order to implement the ‘clear-hold-develop’ policy, the government has to adopt comprehensive measures to be able to control a heightened condition of state-versus-insurgent confrontation that is expected to breakout sooner than later. Indeed, an ability to competently respond to the violence perpetrated by the Maoist armed insurgency is imperative for the IAP to bear fruition. On the other hand, when tested against the lessons of past insurgencies of similar characteristics all across the world, it transpires that the current framework of the state’s armed response may not be adequate to meet that end when pitted against a continuously strengthening Maoist insurgency. It would therefore be prudent for the Central and the State governments to take a step further in devising a more *wholesome policy* to govern the conduct of counter-Maoist operations - even if it must be minimalistic in terms of force-application - that the Union’s forces are destined to undertake sooner than later.

Thus apart from planning and implementation of socio-economic and legislative measures to reclaim people’s confidence over the institution of the state, comprehensive measures need also

to be instituted to upgrade the capability of the Union's forces in disarming the insurgents. Appropriately, these exclusive measures may encompass two aspects of extreme sensitivity. One, it must empower the forces with adequate operational capabilities as well as bureaucratic back up and so facilitate conduct of counter-Maoist operations with higher efficiency as compared to what has been seen so far; and two, the policemen must be saved, by better cultural education, from falling prey to attitudinal insensitivity against the locals. The second aspect needs particular attention in view of the established fact that visible expression of empathy from the representatives of the state plays a positive role even when certain discomfitures may have to be perforce imposed upon the inhabitants during the counter-insurgency operations. Cultural understanding thus saves the state from further alienation of the local inhabitants.

In continuation with such support measures, substantive upgrade of the tactical and logistic policies have also to be devised, defined and formally incorporated into the afore-stated *wholesome policy* – a '*Grand Policy*' to wit - to disable the insurgency. Finally, it would be wise to cover within the scope of that Grand Policy, such measures as are necessary to deal with the anticipated escalation in the state-insurgent conflict. Provisions for such wherewithal that the forces may need to deal with extreme situations, which the Maoists may aggravate in their desperation, should therefore form part of the proposed Grand Policy. Effected with foresight, these steps would obviate the need for the Union's forces to pause or retract their operations to prepare better, and that would deny to the Maoists another breather to recoup, as it has been the case earlier. Of course, all of the three decisions to be taken at the political level - that is, the *extent* to which armed force is to be applied in controlling the Maoist violence, delineation of the *ambit* of police action, and its intended *end goal* - would have to be formally promulgated by the government in power.

It may be worthwhile to discuss the aspects that the afore-stated Grand Policy - to reiterate, a policy to govern the *state's armed response* in containing Maoist violence - may cover. The intent here is to see that learning from past experiences, no repeat of the state's armed capability falling short of the challenges posed may take place. Indeed, there is no need to wait for a foreseen escalation to descend and then suffer the obligation of conceding ground to the Maoists, offering another opportunity for them to consolidate and build up. No doubt, at this juncture of

the Maoist rebellion, the ordained decree upon the state is to go pro-active in its preparation to rein-in the violent insurgency.

### Three Aspects of a 'Grand Policy'

Drawing parallels with somewhat similar situations that prevailed in the post-World War II era and its sixty odd long-roll of insurgencies, emergence of certain well established conventions is observable. In so doing, it becomes apparent that the Indian security community has been rather snug in 'reinventing the wheel' over and over again, and that only after being hit badly enough to elicit loud cries of nation wide dismay. Even then, rather than devising, planning and rehearsing appropriate responses to the challenges *before* taking the plunge, the trend is to hurriedly engage in a sequence of trials and errors under a minimalist approach, a sort of blindfolded groping so to say, and thus failing to apply diligently enough to the complex nuances ahead, until slapped to senses. The decimation that the state's institutions, including the police forces, have been subjected to at the hands of the Maoists over the past decade or so bears to that conclusion. May be the governing establishment can do better this time.

If one were to summarise the lessons culled out of past armed insurrections across the globe since the past six decades, there would be three notable conclusions. These are:

- One, the *insurgents' intelligence superiority and logistic backbone are broken when it is divested of its captive public;*
- Two, the *insurgents are reduced to helplessness when their main strength, that is, intimacy with the terrain, is broken by forcing them to displace from their known environs;* and,
- Three, *insurgency is defeated when free movement of its armed groups is deterred by means of cleverly sited check posts, blocks, traps and ambush.*

Further, there is one vital lesson that emerges loud and clear, that is, just the achievement of physical control over the violence perpetrated by the armed insurgents is not enough to secure lasting peace and social stability; to achieve that end, the entire organisational structure around which the insurgency thrives – command, logistic chain, funding and propaganda set up - needs

to be dismantled. In other words, the process of *dismantling the organisational structure of the insurgency must be inherent to the state's armed response* to the Maoist violence.

That being so, one may venture to define the proposed Grand Policy under three distinct heads, namely, the 'Executive', 'Tactical' and 'Legal' Measures.

The first step for the government to comprehensively defeat the Maoist armed assault upon the institutions of the Indian state would be to unequivocally demonstrate to the people, the resolve to best equip the Central and State's forces for that task. As a corollary, that resolve is best articulated through initiation of certain steps that would pave the way for the Union's forces to effectively deal with the impending state-non-state confrontation. These are the steps that may be classified under the terminology of 'Executive Measures'.

## Part 2 : The Executive Measures

### Definition

Executive Measures under discussion here are those which by facilitating the state's armed response to the violence perpetrated by the Maoist, would contribute in controlling the insurgency. In other words, these are meant to back up those aspects of the state's efforts which involve articulation of its armed force in reining-in the rebellion. Appropriately, these are civil measures which fall within the ambit of standard administrative mechanism, albeit with added emphasis on firm implementation and continuous monitoring, the aim being to close those avenues which the Maoists exploit to garner armed muscle and exercise it to attack the state. Enforcement of these civil measures do not call for any extraordinary use of force, that is, more than what is usual at normal times. However, even if many of these Executive Measures may have certain commonalities with other social, economic and political initiatives that might be undertaken by the government under the first 'prong' of its strategy - that is to remedy the root causes of the rebellion - it is necessary for the state-functionaries to distinguish between the two. This is so because as past experience reveals, unless applied exclusively and freed of peripheral linkages, such measures tend to get entangled in contradictions that might be thrown up by inter-departmental priorities, procedural and fiscal hurdles and motivated opposition (3). The state's

effort to rein-in the insurgency thus gets diverted. As a result, the very purpose of adoption of the measures are defeated, much to the insurgents' advantage.

Experience also shows that these measures, even if apparently mundane, offer out of proportion advantages in weakening the violent arm of a rebellion within a short period. Therefore, by customising the lessons learnt in past insurgencies of similar nature outside as well as within India to the situation created by the current Maoist insurgency, it is possible to identify some of the 'Executive Measures' that could play catalytic role in disarming the rebellion (4). A brief discussion over the fundamental ones among these measures would therefore be in order.

### **Fundamental 1 : Effective Law Enforcement**

It is known that all kinds of criminal activities - even those which are normally not considered as anti-national *per se* - contribute in strengthening anti-state rebellion in some manner or the other. Conversely, when engaged with insurgency, the state's law enforcement mechanism becomes inhibited, and that permits the criminals and out-laws to enter into mutually profitable nexus with the anti-national rebellious groups. Cultivation and trade of opium and other contraband, smuggling, kidnapping for ransom, 'Rangdari' taxation (extortion against dispensation from arm-twisting), land-grab, bulk theft from railway wagons and government store yards, local gun manufacturing, diversion of industrial explosives and detonators, etc. are such illegal activities which promote that kind of mutually beneficial nexus. At some stage, many of the state-functionaries, while closing eyes from law-breaking which in any case they are obliged to do against the pain of violent death, acquiesce to join the bandwagon to make some extra money. Development of such loops of nexus allows the insurgency to take advantage of, one, the criminals' information network, two, information leakages from the governing establishment, three, widening of the 'catchment area' for collection of funds, and four, illegal gun running. Therefore, zero tolerance of all illegal activities must engage the attention of the affected States while engaging in counter-insurgency operations.

In this context, the recent tightening of the law-enforcement mechanism in Bihar and Maharashtra provide encouraging examples. In these States, it has been possible to subdue the intensity of insurgent activities by better administration of law, order and governance.

Conversely, with the State administration laid low in a condition of asphyxiation, the situation is exactly the opposite in Jharkhand - to some extent in Odisha too. To illustrate, there is no doubt that concerted enforcement of mandatory laws, for which the government has always been adequately equipped, would make it possible to dismantle the industry of illegal arms manufacture that flourishes by the dual clientele of the criminals and the Maoist insurgents. Helped by an energised system of criminal justice, it would also be possible to arrest widespread diversion of industrial explosives and agricultural chemicals to the making of Improvised Explosives Devices (IED), just as it would be possible to clamp down on collection of 'levy' by the Maoists. Most crucially, by tightening screws on the criminals on the fringe, the flow of tactical information would be reversed in favour of the state. In short, better enforcement of common laws would dampen the free run that the Maoists enjoy today.

## **Fundamental 2 : Empowerment of a 'Lead Agency'**

The Maoist insurgency flourishes in four States – Chattisgarh, Jharkhand, Odisha and Bihar - while sustaining itself in another three – West Bengal, Madhya Pradesh and Maharashtra; meanwhile, the rebellion continues to harbour in Andhra Pradesh and Uttar Pradesh. To deal with the insurgency in each of these States, there are deployed a number of armed police battalions from the Centre as well as some other States, referred to under the generic nomenclature of the 'Central Armed Police Forces' (CAPF). The intelligence functions are undertaken by the State's own internal intelligence set up as well as the Centre's Intelligence Bureau (IB). Besides, within each State, the policy of 'clear-hold-develop' requires conjoined participation of many State government departments – health, education, civil supplies, public works, revenue etc., for example. Thus there is a crowd of inter-departmental functionaries who have to join hands in countering the rebellion. Lessons of the past reveal that under such situations, it is imperative to devise a common set of political directives and enforce these through a *joint* command, control and executive mechanism <sup>(5)</sup>. However, notwithstanding the Home Ministry's rote, adoption of standard policies and common approach to planning and coordination of inter as well as intra-State counter-insurgency operations remains half-cocked. Similar is the case with institution of an empowered controlling headquarters to tackle the rebellion at the inter-State level. The result is that in many instances, requirements posed by the police department to their health or public works counterparts within the same State, provision of

which might help in controlling the Maoist's activities, have been repudiated by the latter mentioned departments over partisan considerations. This attitude is even more visible when matters of inter-State assistance comes up. Further, the divergence of goals is no less marred by incessant politics of Centre-State wrangling.

The situation prevailing is that political leadership of various affected States and officials of various administrative departments within each of these States continue to articulate their own priorities and compulsions. Though engaged to a common purpose, diffused thinking prevails even among the various police organisations, notwithstanding the tenuous existence of 'unified headquarters' in some of the affected States. Granted that exclusive concerns among the various arms of governance may have some real, if contradictory, substance, these may, no doubt, still be accommodated within an unified set up provided there is the will to rise out of petty rivalries. That, however, is not the case, and unification of effort to control the rebellion seems elusive even as the insurgency enters its third decade. Indeed, such a state of affairs cannot be a prescription to control the anti-state armed rebellion – not to the requisite extent that would make a difference for the better. This is a severe flaw in the overall situation; it needs to be corrected if the commitment to suppress the insurgency is to be secured with minimal loss of life and least disruption in societal stability. Indeed, an empowered *Lead Agency* to deal with the Maoist's war upon the state is wanted – and soon. It could be an 'joint command', 'empowered committee', 'coordinating headquarters' or whatever, as long as it is able to maintain the singularity of purpose.

### **Fundamental 3 : Regulation over Trade**

Imposition of regulatory mechanisms in the trade of certain crucial commodities that the Maoist would find themselves to be at sea without, may be another aspect of the Executive Measures. It needs no elaboration that even a soft clamp-down over the insurgents' supply chain for dry rations, kerosene oil, dry cells, medicines and clothes would hit them hard. Similarly, effective surveillance – as against the present practice of exchanging bribes to look the other way - over bulk tailoring of People's Liberation Guerrilla Army (PLGA) uniforms, treatment of cadres by private medical practitioners, diversion from public distribution ration shops and under-the-counter sale of fertilizer chemicals may cause severe difficulties to the rebels. However, for these

steps to bear fruition, the overall standard of administration would have to be improved. Stringent enforcement of discipline to promote accountability and curb graft among the government functionaries, and dynamic enforcement of the existing laws would be necessary to achieve that end.

In this context, it may be pointed out that in terms of law enforcement establishments, each State is well equipped to clamp down on the underworld business; it just needs the political will to do so. This fact is reiterated by the success of control mechanisms - even if limited still - as instituted in Bihar, Chhattisgarh and Maharashtra.

#### **Fundamental 4 : Denial of Rebel's Sanctuaries**

It is no secret that the townships located the areas of Sonebhadra, Balaghat, Sambalpur, Aurangabad, Chaibasa and Bankura are used as sanctuaries by the Maoists to recoup, seek medical treatment, procure provisions, broadcast propaganda, carry out fiscal transactions and interact among themselves. It would, therefore, be an effective measure to disrupt such activities; the result would be very rewarding indeed. For such measures to fructify, priority has to be accorded to assignment of intelligence and law-enforcement agencies in 'internal security surveillance', and marshaling of the traditional human intelligence resources – municipal workers, chowkidars, petty criminals, wheeler-dealers, part time informers, etc. – to that purpose, from where these might have been diverted for political expediency over the years.

#### **Fundamental 5 : Alacrity in Decision Making**

It is needless to emphasise that faster decision making over issues directly related to control of the insurgency is the need of the hour. Issuance of timely rulings on matters related to organisational strengthening of the police forces, prosecution of rebels and their accomplices, impositions of trade and movement restrictions, location and construction of well protected police posts, etc., could choke the logistic supply line of the rebellion and forestall the Maoists from expanding their areas of influence. Similarly, quick response over provision of security to development and commercial projects could prevent the rebels from widening their extortion-base and raise higher 'levy', while faster pace of finalisation of equipment procurement cases and recruitment procedure could quicken the pace of modernisation of the police forces.

Conversely, to mention just few instances of scoring self-goals, inertia in decision making has already stone-walled for over half a decade, recruitment and training of the State police constabulary and raising of special counter-insurgency police battalions – even if these schemes had been unanimously endorsed. Such languid approach to decision making needs to be corrected.

Quick and credible response to the ever-changing situational dynamics would also be needed to prevent return of the insurgents into areas cleared by police action, emergence of subsidiary factions of intransigents and indulgence of mass corruption among public servants – as it usually happens when the conditions are tenuous. Alacrity of the government's response mechanism is a condition fundamental in assuring common citizens of their safety against Maoist retribution, just as it is to redress the current impracticality of the 'surrender policy' that remains impotent in protecting the reformed cadres. That kind of credible assurance would in turn lead to dismantling of the insurgents' life-line – that is, a fear-induced network of human surveillance and forewarning.

## Comments

As past experience suggests, implementation of *Executive Measures* as discussed above would stragulate the logistic of food, fund, fire power and forewarning network of the Maoists. That would have a cascading effect in discouraging organised intransigence of the rebels; to fall back to the oft repeated simile, it would drain out the 'pond' of people's cooperation and thus stuff out the life-line of the Maoist 'fish'. Indeed, adoption of the Executive Measures would be the most visible sign of the government being serious in countering the armed insurrection. Indeed, no less important than the actual use of force, it would offer all-round advantages in dealing with the Maoist's war upon the state.

A scrutiny of the situation on the ground reveals that the affected State governments are wary of enforcing the right measures for a fear of provoking socio-political backlash that could topple them from power. Further, in an ostrich-like mentality, the political parties in the affected States are happy to gloss over the festering wounds inflicted by Maoist activities upon the democratic administration; they are wary of even admitting to the anarchy that prevails for the fear of

exposing their incessant machinations to divert people's attention from the real issues while jockeying for power. Other functionaries of the state, bureaucracy and industry for example, on their part are smug in status quo, wallowing in lethargy and corrupt practices, even gaining from it, and leaving those hapless policemen - those who cannot manage to avoid being sent to their *gulag* - to do what they can. This situation has to change if the state is really committed to root out the Maoist menace.

## Part 3 : The Tactical Measures

### Tactical Tenets of Counter-Insurgency Operations

Taking advantage of the Executive Measures to clamp down over the Maoist rebellion, it is yet necessary to disarm the insurgents – by force, obviously. But then that is easier said than done, particularly when the insurgency is active over four score areas of varying sizes and spread across nearly a seventh of the country's land mass; the forces and the logistic resources at the state's disposal would never be enough, particularly because the counter-insurgency task is manpower intensive. Therefore, that end would have to be achieved by the following initiatives :

- Strengthening the quality of the forces in terms of training and equipment,
- Raising the sanctioned establishment of police personnel,
- Recruitments to fill up the vacancies accumulated over the years,
- Raising more units of armed constabularies, and finally,
- Dynamic deployment of the available forces after due planning and preparations.

Some tenets of counter-insurgency operations, proven over the past, may offer some practical options in effective mustering of the forces to undertake the extensive task of clearing out the insurgents from areas so vast in extent.

### Tenet 1 : The 'Cluster Clearance' Method

Past experience indicates that *displacement from their known environs* and *disruption of their free movement* are the two most effective weapons in debilitating the strength of insurgency. Frequently forced displacements to unfamiliar areas causes dismay and frustration among the

insurgent cadres and robs them of their strengths – intimate knowledge of tactical attributes of the terrain and self-confidence borne out of territorial dominance - thus severely weakening the insurgency. The ‘Tactical Measures’, therefore, must be build around the purpose of exploiting these two vulnerabilities of the Maoist insurgents. Considering the wide spread of the rebellion and the tangible forces at hand, it may be wise to group the Maoist affected areas into distinct ‘clusters’ and concentrate forces to clear these one after the other. Operations directed over a finite area would permit deployment of overwhelming forces and oblige the insurgents to flee their remote PLGA bases and camps to relocate to unfamiliar areas. Such displacements would also entail abandonment of the insurgent’s stocks of scarce material resources. Thus even if the ‘search-and-engage’ missions do not lead to infliction of high casualties or capture of the armed cadres, as it would invariably be so at the beginning, the insurgency would still be seriously affected by the need to establish new camps and devise new networks of supply and surveillance. The most damaging effect upon the insurgents’ cause would be the loss of tactical advantages borne out of their terrain familiarity and the confidence enjoyed by the cadres while operating on home turf. Above all, being chased out of their domain would inflict an embarrassing dent in their inflated self-estimation and over-publicised bravado.

Obviously, clearance of one such cluster would cause the insurgents to shift base to other areas over which they have been exercising control. As the Union’s forces are redeployed to operate in the next targeted cluster, the exodus would be repeated, thus causing the insurgent groups to scatter once again; some groups would even come back to a cleared cluster and try to reclaim the ground lost earlier. There is really no straight solution to this ritualistic cycle of ‘chase-and-scoot’ but to position some force in occupation of the cleared clusters, the purpose being to prevent the insurgents having a free hand in reclaiming these. Indeed, this is a tough call which has to be taken even at the cost of depleting the forces to clear the remaining clusters.

At the end, a repeat of the ‘cluster-clearance’ operations is to be undertaken after the first round is done with. Even if these perambulations may seem tedious to the bureaucratic controllers of the Union’s forces, actually however, as past experience suggests, the insurgency’s back-bone is broken, more or less, after the first round of cluster-clearance is effected. Indeed, it is also seen

that the insurgency meets its final doom at the early stages of the second round of such clearance operations, of course, when undertaken without break.

It, therefore, makes sense to adopt this strategy in the context of the Maoist insurgency in Central India. Of course, considerations of terrain, resources at hand and the insurgents' habits would dictate the size and location of the designated clusters. Clusters could either be contiguous or separated, as dictated by the terrain, the forces available from time to time and the overall clearance plan. Clearance of one cluster after the other in tandem may follow, and as stated, repeated till the insurgency is suppressed. Obviously, the time needed to get the situation somewhat under control would remain a function of the strategic articulation of the tempo and spread of the operations and what forces that may be available for that purpose.

### **Tenet 2 : Denial of Free Movement**

Alongside the process of 'cluster clearance, movement of the Maoist squads within the designated clusters may be rendered tedious and risky by dynamic siting of blocks, traps and day and night ambushes. These tactical initiatives have to be exercised in a manner as to take the transiting insurgents by surprise, or at the least limit their elbow-room for uncontested movement. Further, the proven tenets indicate that to be able to effectively perform the above mentioned missions, the best practice is to establish networks of well protected, self-contained, and logistically sustained 'outposts'. These 'outposts' are sited according to tactical considerations and inter-connected in terms of communications as well as transport links relative to time and distance. Effective 'security grids' are thus activated to perform the functions of 'operating bases' for the forces to dominate a designated area. The resultant imposition of movement restrictions and infliction of casualties, even if occasional, fosters a sense of claustrophobia and frustration among the insurgents and thus plays havoc with their psychology.

### **Tenet 3 : Application of Force**

As indicated in the figure below, insurgencies having similar characteristics to the Maoist problem have flourished from three distinct kind of areas: '*liberated*' bases in remote jungles, rural '*intermediate*' areas of control and urban '*constituencies*' of influence from where come ideological support and funds. Past lessons also indicate that counter-insurgency operations have

seen best results when these have made good progress in the 'intermediate' areas before inching into the 'liberated' ones. Further, invariably in all successful cases, clearance of 'intermediate' areas have almost entirely been executed under the aegis of police forces, sometimes with

Stage II	Stage I	Stage III
<u>LIBERATED/BASE</u>	<u>INTERMEDIATE/RURAL</u>	<u>INFLUENCE/URBAN</u>
<u>AREAs</u>	<u>AREAs</u>	<u>AREAs</u>
-Search, -Dislocate, -Destroy. <b>(Military Action)</b>	- Tactical intelligence, - Security of movement, - Choke rebel logistics, - Grid-based deployment, - Domination of space, - Clear & Develop, - Assure inhabitants. <b>(CAPF + Police Action)</b>	- Internal Intelligence, - Law Enforcement. <b>(Police Action)</b>

elements of the army in the backup role, while offensive into 'liberated' base areas have been led either by the regular army or special para-military forces that are structured in the manner of the army (6). Notably, the confrontation more or less ends as control is wrested out of the grip of insurgency from these two areas, whereafter, with its umbilical cord snapped, the urban 'constituencies' either shrink to hibernate or dissolve altogether. The Indian state's counter-insurgency effort may be devised accordingly to reap benefits of that lesson.

Another notable lesson from past experience is that counter-insurgency operations, when conducted intermittently, tentatively and with inadequate forces, tend to stagnate or even fail. That encourages societal rejects, outlaws and the unemployed to ally with the rebels. Larger and larger areas are thus lost to the rebellion. Thus, while more and more people are intimidated into extending their cooperation and support, the rebellion gets strengthened. Therefore, there are strong reasons to save the Indian state from repeating the mistakes it had made in the past in Assam in 1992 and Kashmir in 1999 (7).

Having discussed the lessons from similar counter-insurgency scenarios that have occurred in the past the world over, it may be appropriate at this stage to examine the tactical situation which is seen to be unfolding in the context of the Maoist insurgency in Central India. Such a situational scan would be relevant in delving further into the Tactical Measures which may yet have to be adopted.

## The Scene Unfolding on Ground

Starting from the later part of the Year 2011, certain small parts – mainly around Latehar-Palamu in Jharkhand, Sukma-Malkangiri and Bastar-Bijapur in Chattisgarh and Odisha, and Gadchiroli in Maharashtra – are being reclaimed slowly but inexorably from the clutches of the Maoists. Following the right practice, police forces have continued with clearance of such selected areas, howsoever small, that they are able to tackle even as the envisaged build up and modernisation of forces gets underway concurrently. The purpose is to create a secure space in areas usurped by the insurgents for the state to find its feet and commence socio-economic development schemes. These nascent efforts apparently did not cause much concern among the Maoist leadership, as evidenced by the half-hearted resistance that was put up to discourage the police from intruding into their realm. May be, having dealt with, and decimated, such attempts before, they did not consider the situation to be so alarming as to call for diversion of their current thrust towards strengthening the rebellion in terms of funds, weaponry and cadre base. It was, therefore, possible for the state to reclaim certain limited territories and kick-start development schemes in these areas.

As the police forces gained in experience, training and modern equipment, an appropriate *tactical policy* – many times referred to as the '*Tactical Counter-Maoist Campaign*' (TCMC) - has been devised around a four-legged operating principle, viz, '*Key Area Domination*', '*Intelligence Based Operations*', '*Night Operations/Ambush*' and '*Clear-and-Hold*' assignments. Indeed, enunciation of this tactical policy conforms to the lessons of the past insurgencies as discussed above. Accordingly, the police forces have commenced operating according to this policy in certain selected areas. Better fortified posts – operating bases – are being occupied to establish security grids and area dominating exercises are being undertaken with a steady frequency. Not used to such deliberate challenges, the Maoists seem to have stirred in alarm at the inexorable advance of the state's authority. By the closing month of the Year 2012, this

alarm manifested in the outbreak of fierce encounters when the insurgents have started contesting, with extra-ordinary vehemence, the police forces' 'intrusion' into what they claim as their exclusive domain.

As evidenced by the recent ambush of the Central Reserve Police Force (CRPF) column in Latehar and firing at the Air Force helicopter in Sukma on one hand, and infliction of high casualties on the insurgents by the Maharashtra State's C-60 Commando Police Force in Gadchiroli, the contest is fast turning into serious confrontation. Thus, while the police forces are gradually catching up with the PLGA's tactical superiority, the Maoist Area Commanders have panicked enough to resort to booby trapping the bodies of police casualties with the idea of instilling terror among the police ranks. As more police outposts are set up in conformity to the security grid, frequency and coverage of '*gherabandi*' missions increase, and the envisaged night operations to ambush insurgent movements commence, there is no doubt that the Maoists would find the noose tightening around their armed activities. Maoists know this and they are preparing feverishly to withstand that challenge. This trend, as evidenced since January 2013, goes to indicate that both the contestants are upping the *ante*. The Maoist attack on the Congress convoy in *Sukma*, followed by interception of a passenger train in *Jamui* are therefore manifestation of an intense conflict ahead. As to how far the insurgents would really be able to operate with the abandon that they were used to in the past when the police forces had been reduced to mere sitting ducks, would be a matter to watch over in the coming days.

Whatever be the case, a new phase of escalated and long-drawn armed confrontation may be expected.

### **Response to Escalation in Maoist Violence**

There is no doubt that in imposing their reign, today the Maoist rebels do not have the kind of absolute freedom that they had been enjoying earlier. Similarly, police forces are no more the sitting ducks that they had been when the insurgents could decimate them in one-sided contest. There is also no doubt that pitted against the power of the Indian state, finally, the Maoists will not be able to over-run the state through the kind of armed revolution that they have set their eyes on. However, for the next few years, even if the state manages to push the insurgents out of certain affected areas, the marginal loss of territorial control would not cause any substantial

weakening of the insurgency. In effect, the Maoists would use their armed strength to preserve their control over many of the areas in which they have established themselves and thereby continue to sustain their cadres by extortion under threat or acts of violence. Further, it is certain that as the state proceeds to harness more and more mineral rich areas to sustain the nation's economic growth, instances of instigation of local people's resistance as well as imposition of 'levy' upon the venturing entrepreneurs and industries, backed up with armed attacks, murders, abductions, destruction of plant and equipment or plain issuance of threat, would increase.

Thus, in reiteration of the conclusions discussed in the preceding paragraphs, as both sides gear up to proceed in conformity to their compulsions, it is certain that the conflict will escalate in pace as well as intensity. Therefore, to be ready to deal successfully with escalation of violent impositions from the Maoists, the state's counter-insurgency forces have to attend to certain tactical imperatives; the earlier the process starts the better it would be. A discussion over the tactical aspects that are considered necessary to be prepared for the coming escalation in armed confrontation would therefore be in order.

### **The Imperatives of Tactical Upgrades**

It may be necessary at this stage to take the discussion to the next level, that is, as to what better the security forces could do to reinforce their armed response to the Maoist insurgency. To do so, it would be appropriate to discuss the broad nuances of certain reinforcing tactical initiatives that may be applied as the contest gains pace and intensity.

- **Field Craft.** Analysis of the present trends in conduct of clearance operations indicate that among the police forces, there is more to be honed up with regard to the skills of field craft and minor tactics. Such upgrade is necessary to avoid being overwhelmed by Maoist ambush as much as to stay clear of IED attacks. Each task has to be planned exclusively in terms of routes and timings, tactical formations for movement and employment of scouts and reconnaissance teams. In so performing, the urge to overlook the minute nuances of field craft, so prevalent among the police ranks, needs to be rooted out. Similarly, skills of tactical deployment for engagement and employment of crew served weapons, including small caliber mortars and illumination rounds, needs to be sharpened further. Presently,

these are the weaknesses which allow the PLGA to come out with relative success in tactical engagements.

- **Field Intelligence.** For any kind of operational information, the forces deployed on counter-insurgency role are almost entirely dependent on the State and Central intelligence agencies, whereas these agencies are actually not equipped to gather 'tactical intelligence' which could be relevant to plan and execute actionable missions. Even the newly formed CRPF intelligence wing is not up to that task yet. This is a major weakness in the counter-insurgency intelligence system because of which jungle-patrol search and clear missions tend to turn into 'groping-in-the-dark' rather than 'stealth-hunt' operations. The effect is that the forces are instilled with tense apprehensions rather than assured confidence. Further, with their widespread network of embedded surveillance and early warning elements, the insurgents always remain a step or two ahead of the forces, and that permits them to set up engagements according to their choice. Under such situations, the necessary tactical intelligence have to be collected by a combination of observation, probes and reconnaissance. Obviously, these exercises have to be tactically launched, both in strength and by stealth, from suitably established operating bases. Considering that these kind of intelligence collection operations have to be carried out over undefined areas, and that the inhabitants would not cooperate with the police while sheltering Maoist informers, 'area familiarisation' – the term here implies terrain as well as population familiarisation - must be the first priority field intelligence task. For example, in deep jungles, knowledge of sources of water and jungle trails would point to the location of PLGA camps. Knowledge of the terrain would also reveal a fair picture of the existence of the Maoist's surveillance and logistic networks which may then be effectively disrupted. Finally, population familiarisation leads to build up of rapport with the locals and that is the first step in establishment of channels of information.

- **Minor Tactics.** The most fundamental weakness, as seen in CAPF operations, has been over somewhat shallow understanding of the nuances of tactical manoeuvre. It has to be appreciated that deployment either in smaller teams or larger groups must depend on the terrain and mission rather than to find safety in numbers. Similarly, it needs to be

understood and that the practice of out-maneuvering calls for securing static, dominating positions to catch the adversary on the move and therefore exposed to destruction in detail. In effect, with better adherence to the basics of field craft and minor tactics, and by tuning up an effective system of field intelligence and terrain familiarisation, conduct of search-and-destroy missions against PLGA camps would not appear daunting; instances of walking into insurgents' ambush traps, wariness of operating in small numbers or in dark and inability to pursue fleeing cadres would become rarer. Next, at some stage, counter-insurgency operations may have to be enlarged in scope from just the clearance and reaction operations to pro-active initiatives. For example, the assembly stage of 'swarming attacks' on vulnerable targets not being easy to hide from an alert policing system, entrapment of the attacking cadres may be contrived with good prospects of success. Similarly, even with a nascent information network, vulnerability of the insurgent groups coming out to engage in the Maoist version of 'mobile warfare' may be exploited to apprehend these. The point to appreciate from past experiences is that even if most of such attempts do not yield tangible results, the exercise in itself poses enough threat to the insurgents to make them anxious and jittery. Success in such actions, even if few and far between, would give to the cadres a taste of their own medicine and spell decimation of the core of the insurgency.

- **Logistics.** Last two years have seen much improvements in the logistic support system of the forces deployed in counter-insurgency operations. Supplies are provisioned on weekly basis over picketed roads, outposts are better stocked and secured with protective works, inter-communications are well networked and helicopters are more readily available to deal with emergencies. However, the logistic resources that are presently committed seem to have hit the limit of force-sustenance. As the conflict escalates to the next stage, these resources would prove to be inadequate to support higher force levels that must operate over larger spread and deeper into remote areas. There is therefore, good reasons to start the process – rather lengthy as it is - of acquisition of larger logistical wherewithal, particularly so in terms of construction of metalled roads, location of secure intermediate logistic nodes in relative to the 'security grid', execution of protective works

for operating bases, provisioning of transportation fleet and strengthening the helicopter back-up.

- **Force Management.** Needless to emphasise, in seeking the ends discussed above, the present system of deployment of forces and turnover of personnel may have to be modified; this would be necessary to foster a sense of semi-permanency - as against transiency – and to promote higher expertise as well as situational awareness. Unless enforced regardless, that would not be easy to accomplish against the policemen's urge to avoid deployment in Naxal affected areas. Further, the traditional structure of police leadership may be competent to handle the operational dynamics of counter-insurgency only up to a point. Therefore, even as the level of training of the platoon and company commanders is raised, at a certain stage of escalation this structure may need to be reviewed – and reinforced with tactical leadership of the army kind.

## The Role of Army

Many times in the past, whenever there had been some incidents of massacre of policemen by the Maoist insurgents, the issue of deploying the Indian Army to counter the rebellion had been discussed in the government circles. Better sense has, however, prevailed and that drastic step has been avoided – apart from moving a brigade once for training exercises to the PLGA's forests bastion of *Narayanpur* – simply because this rebellion is not of the kind that may be suppressed by use of brute force; use of military power of the state against a mass backed uprising would be counter productive in many ways. In any case, the conditions when the Army has to be called out to protect national integrity do not exist yet – there is no secessionist agenda, nor any sponsorship from external adversaries, neither has the state finally failed to control the insurgency even after committing all its police forces.

Notwithstanding the above argument, there are two situations which might necessitate the Army to pitch-in. this is so because there is no other force that is competent in undertaking set-piece surgical attack operations to destroy an organised, ground-holding force that fashions itself on military lines. One situation could be that deviating from their current policy, should the Maoists choose to precipitate the situation by disrupting, for a length of time, the transportation of crucial

minerals, including coal to generate power across the country, there would be no option left for the government but to recapture the ground by deliberate offensive action. The other case could be when it becomes necessary to establish contact with and then overrun remotely located PLGA bases. In either situation, the only organisation that is competent to undertake such missions is the Army. It may therefore, make sense to keep the Army sensitised to its possible role.

### **Aspects of Recruitment, New Raisings and Training**

It is well appreciated that with the existing availability of force level, the policy of 'clear-hold-develop' would succeed only in part. As areas are cleared and a part of the force is committed to hold these on long term basis, the forces available to further expand the operational coverage would gradually deplete. That the area affected by the rebellion is no less than one seventh of the vast Indian land mass, renders the charter even more demanding. Accordingly, recruitment to fill up existing vacancies in the constabularies - substantial as these are - is underway, albeit at a snail's pace on account of the usual charade of 'job-politics' played by rival political groups. Besides, between two to four new battalions, manned by ex-servicemen, police volunteers and dedicated recruits, have been raised by the State governments in Bihar, Jharkhand, Chhattisgarh and Odisha. Purportedly raised for the purpose of counter-insurgency, the functioning of these units has, however, been haphazard and devoid of professional touch.

The stranglehold of systemic inertia is also reflected in the fact that it took nearly half a decade for the Central and State governments just to finalise the paper work related to raising of specialised police units in four of the worst affected States, viz, Jharkhand, Chhattisgarh, Odisha and Bihar; it remains yet a guess as to when the promised allocation of Rs 280 crore would bear fruition. However, even if these matters are hereafter progressed with alacrity, the major hurdle lies in training new recruits and the transferees; the training infrastructure is not geared to handle larger batches of freshly inducted trainees without compromising on the quality of training. It may therefore, be prudent to, firstly, pace the expansion of counter-insurgency operations to newer areas in relation to the buildup of forces, secondly, make formal arrangements for employment of ex-servicemen as instructors as well as members of the specialised forces, and thirdly, create additional training infrastructure even if temporary in nature.

## Comments

Factoring past experiences with the situation as seen on the ground, it becomes clear that there is the need to instill a distinct ethos among the counter-insurgency forces. Painstaking adherence to the fundamentals of minor tactics must be the plank of that ethos. Besides, the forces have to be educated on the unfamiliar nuances of local culture and inhabitants' sensitivities, so as to promote mutual understanding and empathy. Definitely, such understandings are important factors for success in the counter-insurgency scenario.

Finally, there is no gain saying that in preparing the forces to arrest the Maoists' propensity in indulging in ruthless armed attacks upon the society, the need of the hour is to free the matter of the state's armed response from the usual systemic labyrinth that causes procrastination, half-measures and distractions. The fact to be recognised by the polity is that for the forces engaged in counter-insurgency operations, the charter is no less than a 'war' - an extra-ordinary challenge that is not just confined to disarming a well entrenched armed banditry over areas desolated, but that requires defeat and scatter of a clandestinely structured, cunning and ideologically violent organisation. The Maoists are an organisation that repudiates outright any suggestion for reasoned negotiations, and seized by idealistic, if actually diabolic, vision, are intent on forcing the state to capitulate to its absolute dictatorship. Indeed, the cause of nation's internal security would be better served when that entire organisation is comprehensively dismantled – half measures would not do. But that kind of undertaking may require adoption of certain legal measures.

Examination of the legal provisions that may be directly related to prevention of illegal armed actions that targets the state in an organised manner is beyond the scope of this paper. However, certain aspects, as propagated among those knowledgeable who have the feel of the affected societies – not just the policemen alone – may call for a brief discussion.

## Part 4 : Legal Measures

### The Context

Admittedly, the rebellion has not yet fully blown into terrorism *per se*. However, experiences in the recent decades across the world show that insurgents are increasingly adapting to terrorist methods to advance their cause. This trend indicates that as the Maoist insurgent-police confrontation hots up, there is a distinct possibility of that situation dawning in India too. It is also clear that in dealing with the Maoist insurgency, the societal sanction is in favour of the 'criminal justice approach' rather than that of the 'war model' (8). Therefore, there may be a case to prepare the grounds for institution of certain legal measures to strengthen the hands of the forces if and when the need arises to do so. In so doing, care has to be taken to prevent transgression of accepted norms of democratic dispensation by over-provoked state functionaries.

Experts opine that there are adequate provisions under the existing laws to deal with the constitutional intransigence of the Maoist rebels; the lacunae is in implementation, they aver. The first and foremost consideration, therefore, must be to put on rail a process of efficient prosecution of the outlaws and their accomplices and judicial disposal of the cases related to insurgency. The issue is rather well known and hence needs no elaboration. The point to learn from past experience is that it has proved to be advantageous to have a judicial process that is seen to be benevolent yet firm. In the Indian context, while the burden of prosecution is afflicted with severe weaknesses, credibility of the judicial system remains quite strong. Application of effective judicial dispensation therefore, when focused specifically upon vigorous prosecution of the Maoist outlaws, may not be too difficult to administer.

### Legal Considerations

There are two issues which stare at the sanctified edifice of the state; these need to be examined beyond the usual rhetoric. One is that even if the Maoists armed assault upon the state and its citizenry - who have the right to be protected under the rule of law - has been going on for more than two decades past, there have been no demonstrated legal conviction of the outlaws. The second fact is that the Maoists, who have so far been intimidating the citizens by their acts of

brutality, have recently begun to show signs of degenerating further into adopting terrorist methods – torching property, celebrating murder of dissenters and booby trapping dead bodies for example.

In adopting terrorist methods to wage war upon the society, the Maoist insurgents are unencumbered by the pristine norms of accountability. It may be time, therefore, that delinking from the rhetoric of ‘freedom’ and democratic ‘rights’, the state and its citizens find some measures to distinguish between a *nihilist* engaged in digging out the foundation of the nation and an *innocent Indian*. Shades of this concept being already in force in the form of special provisions of law and institution of arbitrary authorities, the following facts may deserve consideration :-

- Unlike the forces of the Union, Maoists are not bound to stake their lives for public good. They operate clandestinely, attack innocent and defenceless targets at the time and place of their choosing, escape at their convenience, take shelter among intimidated civilians and carry out murders with the sole purpose of terrorising the people. Therefore, *having repudiated their societal obligations, the Maoists may not lay claim to the same rights that the law abiding citizens, including the forces, are entitled to.* Therefore, some minimal differentiation in terms of special laws may be called for to deal with the insurgency gnawing at the roots of our nationhood.
- Further, being free of the tedious impositions of the constitutional sanctions that the forces must submit to, the insurgents are always well in the lead while the latter have to struggle to even get past the start point. Therefore, these special laws may be instituted well in time to permit the forces to catch up with the handicap of late start. There is also the good possibility of deterring conflagration of the confrontation if such special laws are enacted without making it a matter of political wrestling.

At the executive as well as common citizen's levels in the Maoist affected areas, there is much support to the idea of defining the Maoist ‘accomplices’, ‘activists’, ‘financiers’ and ‘cadres’. Knowledgeable sources among the affected lot articulate that the parameters of such

classifications are readily definable with adequate degree of certainty and in a manner that would stand legal and moral scrutiny. Once categorised as such, there would be certain limits imposed upon the activities of the individuals who are identified as such, and that would restrict their opportunities of abusing the democratic system. Indeed, imposition of such categorisation is permitted under the existing laws, though it might be necessary to subject these provisions to certain amplifications. However, this is a matter that must be left to the legal luminaries to examine.

### **Constitutional Application of Federal Provisions**

Finally, accepting the fact that in the coming dispensation, growing assertiveness of the State governments and fractured electoral mandate at the Centre would continue to restrain the federal government from exercising the latter's constitutionally valid option of forceful intervention in such matters which the State administration sees as its turf. This is particularly relevant in the case of Maoist insurgency which many of the State governments prefer to view as a law and order issue, and therefore, their sole prerogative to handle. On the other hand, there have been many instances of the State politics influencing such measures that could turn out to be detrimental to the nationhood in the long run – caste, religion and muscle based politics for example. Notwithstanding the sensitiveness of this issue, there may be a case for strengthening the federal provisions, may be as an one time exception, to deal with such extra-ordinary situation that the Maoist rebellion has brought about. If the Finance Commission, Planning Commission, Telecommunication Regulatory Authority etc could be empowered to override majority assertions, and the States feel no hesitation in demanding Central intervention to bail them out from crisis situations, there is no reason to be chary of extending that concept to protect the edifice of the Indian state.

### **Conclusion : Coming of The Storm?**

At the present juncture, it is clear that both the police forces and the Maoists are engaged in an exercise of what may be termed as 'testing confrontation'. This is an arrangement in which the state is engaged in a slow and incremental clearance of few selected areas to be able to execute development projects and provide better governance. Conversely, the Maoists are contesting the police forces who are attempting to intrude into their bastions while protecting, even expanding,

their catchment areas of fund extortion. Indeed, at this moment this is an incremental contest that is exacerbating in slow motion.

It appears that presently, the unstated purpose of the States seems to be to 'push out' the Maoist insurgents from certain selected areas, rather than to engage in an all-out decimation of the rebellion's organisational structure. In this effort, the model applied by the 'Grey Hound' police forces in the Andhra Pradesh is sought to be replicated. Notably, that model was successful in expelling the insurgents to other States, but not so in destroying the organisation completely. That may have been a practical policy when dealing with one particular State in isolation, but the future recourse would have to be decided based on two different kinds of options, as described under :-

- One option could be to prevent any further spread of the insurgency, while nibbling at the Maoist's assets. Reposing hope over gradual realisation of societal wisdom among the Maoist support-base over a time, the rebellion may be pushed towards stagnation, atrophy and irrelevancy in due course.
- The second option could be to adopt all-round measures to destroy the organisational structure of the rebellion. That would involve overrunning the insurgents' bases as well as arresting the rebel's activities in rural and urban areas. Presently, the political decision seems to favour the exercise the first option.

Indeed, at the present juncture, the choice of restrained use of force is an appropriate one, given that time is needed to establish the grid of security outposts, perform the cycle of cluster-clearance, hold areas cleared of Maoist domination, and to tire out the rebellion. If the state, however, is forced to stamp out the menace for good, either to meet its commitment in expanding mining activities or due to growing impositions of the Maoists, , there are two cardinal facts of past experiences - as discussed in Part 3 above - that may be taken note of. These facts are :-

- The first fact is that offensive action to destroy the insurgents' bases in the 'liberated' areas requires deployment of the army or a force similarly organised, trained, led and motivated.
- The second fact is that just defeating insurgency would not stamp out the menace, the entire structure of the rebellious organisation would have to be *uprooted* to ensure lasting social stability.

Whatever be the recourse the state adopts in dealing with the Maoist rebellion, there would be the need to institute executive, tactical and legal measures that would empower the forces in tackling the insurgency better. Meanwhile, the polity has to remain resolute and patient over a long time that a situation of this kind needs to master.

### Image Sources:

1. <http://3.bp.blogspot.com/-rgUlpkhshaU/ThP7nefMcRI/AAAAAAAAAPY/SKmkRd9v3MI/s1600/naxal.jpg>
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### End Notes

(1)- In this paper, the Maoist's armed activities are referred to as 'insurgency', while 'rebellion' is the term used to point at their overarching anti-national activities.

(2)- Capital 'S' has been used to refer to the constituent 'States' of the Union of India, while small 's' has been used to point to the larger definition of the 'state'.

(3)- For example, it is the 'criminal-election-politician' alliance that shelters the illegal arms industry against its eradication.

(4)- Various governments, mostly the democratic ones, have, at one time or the other, taken recourse to the measures described here to curb insurgency: Americans in Korea (1951-52 & 1953-54), British in Malaya (1948-55), French and the United States in Indo-China (1950s & 1960s), French in Algeria (1956-57), Northern Ireland in Britain

(1970-2005), Spain (1970s), Greece (1970s), Columbia (since 1964 ), Chechnya in Russia (since 1990s), Sri Lanka (1983-2009), Waziristan in Pakistan (since 2004) - the list is long.

(5)- Diversities of local concerns being so strong, there is no doubt that in the Indian context, the idea of an 'unified' set up of command and control has failed to function in its true sense. There is, therefore, a case to consider redefining the mechanism for management of counter-insurgency operations in its totality by means of what may be termed as a 'joint' headquarters in which all the stake-holding departments and establishments are bound to.

(6)- Most countries prefer to avoid projecting a war-like situation by deploying their regular army; raising of police units that are under the control of interior ministry but structured, trained and manned on the lines of the army is preferred. The examples are: the French *Grandarmerie*, Italy's *Carabinieri*, Germany's *GSG9*, Russia's *Vnutrenniye Voiska*, Sri Lanka's *Ranger Force*, the United States Central Investigating Agency's *Special Activities Division*, United Kingdom's *Quick Reaction Alert Force*, etc. In India, there are the *Rashtriya Rifles*, the *Assam Rifles* and *National Security Guard* who function on the lines of the Indian Army.

(7)- In 1992, the Assam Government chose to suspend the Army's operations (Operation Rhino I), to control the armed secessionist activities of the 'United Liberation front of Assam' (ULFA), after that insurgency had been brought down to its knees. The *coup de main* was withheld in the hope of bringing about a change of heart among the weakened rebels. The hope was belied while the rebels took the opportunity to recoup. Soon, the Army was obliged to restart the counter-insurgency operations (Operation Rhino II). Similarly, post-Kargil War, Army units were withdrawn from the counter-insurgency grid in the Kashmir Valley to bolster up defences elsewhere. This gave a fillip to the Pakistan based terrorists and their Indian cohorts. The violence, which had been well controlled, revived and it took another phase of intense operations to repair the damage.

(8)- Considering the limited wherewithal the Maoists have to undermine the Indian state, and the restraining influence enjoyed by the vociferous groups of the nation's conscience-keepers, there is neither any need, nor the possibility of adopting the draconian 'war model' of tackling the insurgency. Should however, the Maoists choose to seek assistance from inimical external forces, that restraint may undergo revision. The Maoists know this.

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The defining feature of VIF lies in its provision of core institutional support which enables the organization to be flexible in its approach and proactive in changing circumstances, with a long-term focus on India's strategic, developmental and civilisational interests. The VIF aims to channelize fresh insights and decades of experience harnessed from its faculty into fostering actionable ideas for the nation's stakeholders.

Since its establishment, VIF has successfully embarked on quality research and scholarship in an effort to highlight issues in governance and strengthen national security. This is being actualized through numerous activities like seminars, round tables, interactive-dialogues, Vimarsh (public discourse), conferences and briefings. The publications of the VIF form the lasting deliverables of the organisation's aspiration to impact on the prevailing discourse on issues concerning India's national interest.



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