



## EFFECT OF TERRORISM IN INDIA

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### ABSTRACT

**TERRORISM**, a term which brings fear in one's mind when heard, a term which moves hand in hand with lots and lots of history, grieve, sufferance, sorrow, recklessness, panic and biggest among these is **LOSS**. Loss of loved ones, property, infrastructure, national security, world peace, loss of security agencies and government Infront of such terrorists and terrorist organisations. Terrorism has become the latest and biggest threat to world peace. Terrorists are improving their sophistication in all aspect of their operation and support. The technology which was made to bring peace in human's life has proven to be equally destructive and harmful as it is helpful and necessary. The weapon technology has become more advanced than ever and with advancement it was also become increasingly available. With this the purchasing power of the terrorists have also raised with availability of sufficient funds and personnel to arrange them and use them. These terrorist organisations are not only threatening world peace, national security but also the idea of democracy, freedom and safety of a being and has caused a serious challenge to existence, progress and development of mankind. In country like India terrorist activities have not only caused disturbance for government but also the people of the country, peace of the country and most of all due to current scenario it has majorly effected the Secularism of the country which is one of the pillar of constitution of India on which Indian constitution is based. So for protection from

terrorism there are various laws, acts, amendments, precedents made according to the constitution of India, which protects the rights of the people, national security, peace of the country, maintain unity in the country, and also punishes the people creating terrorism and giving relief to the people who have suffered.

### INTRODUCTION

TERRORISM has not just emerged in recent time but it was always there since time immemorial. It's very difficult to describe terrorism as it's not a hidden fact that it's all over the globe and it has been here since time immemorial so various scholars and government agencies define terrorism in their own words. like The term 'Terrorism' comes from the French word 'Terrorisme' which is based on the Latin verb 'Terrere' meaning 'To cause to tremble.' According to Oxford English Dictionary Caesar Roy Volume 5, Issue 2, November 2011 207 Second Edition, 1989 terrorism is a policy intended to intimidate or cause terror. The Encyclopaedia Britannica defines terrorism as the systematic use of violence to create a general climate of fear in a population and thereby to bring about particular political objectives. There are uncountable number of definitions for terrorism defined by different people and agencies. The United Nations states that "the question of a definition of terrorism has haunted the debate among states for decades.". because of which even the United Nations does not have a particular definition for terrorism as any discussion on the same will lead to endless debate among its members as there are a lot of opinions on terrorism. But in general terrorism can be defined as the use of violence and threats to intimidate or coerce, especially for political purposes.



Terrorism is of various types varying from place to place people to people, but this doesn't change the fact that no matter of what kind terrorism is terrorism. There is no justification or classification valid enough to ignore the fact that such an act is acceptable or justifiable in any sense or mode of its occurrence and origin. The challenge of terrorism that has confronted India in the post-independence era has been very complex, sustained and destructive and has been a matter of concern for the people of India as well as the Government of India, as terrorism has constantly created problems for the citizens and have vigorously caused a challenge in smooth running of the society by making major problems like dealing with terrorism on one hand and development of country and loss of partition on other. Reflecting India's size, ethnic and religious diversity, and the perennially toxic nature of south Asian geo-politics, terrorism in some shape or form is less a recent aberration than a constantly mutating norm. In country like India, if it was not for our government and our powerful agencies so it would all be collapsed in a matter of second as we are right next to a country which is said to be the host and breeding ground of all the terrorists and terrorist agencies and we don't share good terms with that country, but sometimes our government and agencies have also been defeated in the past which made them even stronger and competent enough that same mistakes can't take place again in the future.

### **EFFECT OF TERRORISM IN INDIA**

The challenge of terrorism in India has majorly came into existence in post-independence era. It been more complex, sustained and destructive than that faced by any other liberal democratic order in the same period, reason being India's geographical

boundaries and it's issues and conflicts with its neighbouring countries as the south-east Asia's terrorist activities which mainly are originated by the neighbouring countries of India makes it more complex for India to stay away from such terrorist activities. According to the Ministry of India, our country faces a large threat from terrorism, and is one of the most effected countries from terrorism as there are large number of terrorist groups practicing inside and in surrounding of India. Now days terrorism in India is not just confined from Jammu and Kashmir but it has spread its wings in all over the nation. Jammu and Kashmir being the most disputed union territory of India as there is a big dispute about its claim from India as well as Pakistan, but the place people use to call as "heaven on earth" has turned out to be a place where there are no glimpse of heaven, everywhere what you see is radicalisation, restrictions, army marching by, people protesting, total curfew going on, attacks going on in different places, militants crossing cease fire limits from the line of control, and what not that makes that place look nothing different than a war ground than what it used to be "the heaven on earth". According to national and international reports, Jammu and Kashmir is now among those places which raise anti nationalist, terrorists, traitors of the nation, and all those social elements causing social unrest and destroying peace and a place which is in complete state of unrest and destruction filled with violence and grievance in the area where unrest and radicalisation are at their peaks. It's not just because of what the people see or what they are told about India or Indian government but it's because of what they are starting to feel, or what they are made to feel which is basically tormenting them and filling their minds with thoughts of  *Jihad*  or



telling them that they are the people who are suffering because of this dispute and because of the decision of the people who are not exactly the people of the land but are some foreign invaders exploiting the land and its people.

As there is no denying the fact that Threats to India from *jihadi* terrorist groups are high and there are enough indications that a coalition of terror has taken shape in the subcontinent with disastrous consequences. Islamic terrorists, working independently or aligned with global terror networks, have been targeting India since 1992, but at very initial stage its main and only target was to create unrest in the city of Kashmir and take it over from the possession of India and radicalize its people to see India as an invader and Pakistan as a saviour, so it's not international pressure or any countries treaty which takes the city of Kashmir from the possession of India but it's the people of Kashmir who would be forced to think in a way that India being an invader they do not want to be part of it and either want to become an independent state which Pakistan could take over easily without India's support or military protecting that area or to be a part of Pakistan, in which either way there is a win-win situation for them.

But these *jihadi's* or the terrorist organisations or the terrorist groups have expanded their wings from Kashmir to whole of India after 1992. Like in the pre-1992 times most of the terrorist groups targeting India aimed at the city of Kashmir, but after 1992 at least two of them, Lashkar-e-Tayyeba (LeT) and Harkat-ul Jihad al Islami (HuJI), and its many offshoots and allies like Students Islamic Movement of India (SIMI),

have developed a wider network of supporters and operators across the country which helps them to not just targeting Kashmir but also other parts of the nation. Series of attacks witnessed after the blast in Delhi in 2005 after which Varanasi, Bangalore, Mumbai, Hyderabad and several other states and cities of India have established the active presence of a *jihadi* coalition in India.<sup>1</sup>

These terrorist groups don't just aim at creating unrest in the country or creating any secular dispute but they have other goals like to target economic infrastructure and vital installations and this includes making of fake or unauthorised currency notes of higher denomination into India; and to increase the communal divide by igniting the fire between the mutual distrust of the communities differentiated on basis of religion, caste and community disputes, increasing or growing the feeling of hatred in the Muslim community towards the Indian State and trigger violence between the communities and state. These terrorist organisations are not just affecting the infrastructure or vital installations or widening the communal divide but their goal is to affect the youth of the country. As talking in context of power of youth it is well said that **“One of the great liabilities of history is that all too many people fail to remain awake through great periods of social change. Every society has its protectors of status quo and its fraternities of the indifferent who are notorious for sleeping through revolutions. Today, our very survival depends on our ability to stay awake, to adjust to new ideas, to remain vigilant and to face the challenge of change.”-Rev. Dr Martin Luther King, Jr.**<sup>2</sup> he very nicely

<sup>1</sup> Terrorism trend in India- Page 63

<sup>2</sup> I have a dream by Martin Luther King Jr.



quoted the power of youth in deciding the future of the country as it's not the people making decision for the country decides future of the country it's the youth which does. So, if effecting the youth positively will bring great revolutions in the country so effecting it in a bad way can also cause devastation. Keeping that in mind these terrorist organisations had started involvement of young professionals in acts of terrorism in the recent past. Of the many suspects picked up in four terrorist attacks before the July 2006 Mumbai serial train blasts, five were engineers, three doctors, one an MBA student, two PhDs and one a doctorate student.

India's greatest divide has been that between Hindus and Muslims post-independence of India that is after the partition on India in 1947. The partition gave birth to both of modern India as a secular polity and of Pakistan as a Muslim homeland. It was because of the partition that India faced a Muslim minority which according to last census of 2011 by the government of India was **17,22,45,158<sup>3</sup>** as total Muslim population of the country (among which there are 8,82,73,945 males and 8,39,71,213 females) whereas total population of India according to census of 2011 conducted by the government of India is **1,21,08,54,977** which means Muslim population in India is 14.225% of total population. They were very difficult times that immediately after the partition, India had to go to the war with Pakistan over disputed land of Jammu and Kashmir which sowed the seeds of a feeling of rivalry and hatred between India and Pakistan that to date has provoked three conventional wars (Indo- Pakistani war of 1965, 1971, 1999) and is now overshadowed

<sup>3</sup> Census of India

by a nuclear stand-off being both countries standing at the verge of having a nuclear war. It has been an enmity which has also profoundly influenced the nature and scope of the terrorist threat confronting India.

Against all such activities India has confronted several concerted terrorist campaigns since Independence. Among which the first one was the violence associated with the radical communist Naxalite movement<sup>4</sup> of the late 1960's, after which March 1967 peasant uprising in Naxalbari in Darjeeling district of West Bengal, terrorist violence spread across the state and in particular the state capital of Calcutta and north India more broadly and ever since the beginning of Naxalite movements in late 1960's left-wing extremism (or the "left-ists") and its terrorist manifestations have posed an almost continuous internal security challenge to the India state. In the 1980s and 1990s left-wing terror morphed into the threat posed by the Communist Party of India (Marxist-Leninist) People's War. Centred in western Maharashtra and south-eastern Andhra Pradesh states, but extending into Odisha and Madhya Pradesh, PWG violence targeted local police and administration in rural areas as well as state-level politicians thus effecting national peace, unity and causing damage to infrastructure in name of religion and *jihad*. Similarly a lot of such terrorist attacks have taken place in history of India post-Independence which are as follows, Mandai massacre(1980), Meenambakam bomb blast(1984), 1987 Haryana killings (1987), Rajiv Gandhi assassination(1991), Punjab killing(1991), Rudrapur bombing(1991), Bombay bombing(1993), Pallar blast(1993), bombing at RSS office in

<sup>4</sup> Counter Terrorism Ethics



Tamil Nadu(1993), and so many, the list is endless, India has a history of terrorist attacks which are like deep scars in anyone's body which are countless, and what things are happening in the new India? Are things happening to heal these scars or to avoid any further scar? Well looking at the current situation things are not going well for India and its nowhere healing these scars but making them more-deeper. *Jihad* happening in the city of Kashmir, eastern disturbances in North-East India from Bangladeshi refugees, North-East Delhi riots, Shaheen Bagh riots and what not, we can't find peace or safety anywhere near us its chaos all around where ever you see.

It is clearly an indication that terrorism has expanded and risen from the city of Kashmir to whole of the India growing its roots rapidly in every part of our country whereas Kashmir remain the training ground of all these terrorist organisations as special forces have confirmed that different terrorist groups have now joined hands and have decided to share operations, resources, motive, ideologies, methods, forces, intelligence and access to arms and money transfer pipelines and helping each other in every possible way to spread terrorism and spread their ideology of *jihad* . These groups are now led by Harkat-ul Jihad al Islami Bangladesh. Also, they are spreading their wings in such a way that group of 3500 *jihad* volunteers from Bangladesh had joined them in Afghanistan which later came to be known as the Bangladeshi Taliba, which was also Known as the operational arm of al Qaida in South Asia as al Qaida was a partner organisation of Harkat-ul Jihad Islami Bangladesh. These recruits are mainly motivated by religious feelings such as feeling of spreading jihad it being their right and is the ideology and a

duty so imparted on them by their god and it's what god wants to do but does it by the way of his people so they are just messengers of god spreading god's message to whole of the world by the way of jihad or their protest and are influenced by global events, particularly those related to Muslims which they are shown in such a way which makes them think it's Muslims who are suffering and increasing rage in their hearts and mind and igniting the feeling of revenge for what their community has suffered. These groups have also established some sort of tie-ups with militant groups like Naxals operating in Andhra Pradesh, Chhattisgarh and Jharkhand

#### STEPS TAKEN AGAINST TERRORISM

The Indian government has taken a lot of steps to fight this battle against terrorism but in reality, the actual scenario is different. Several intelligence agencies and units governed by government are working for gathering intelligence on the activities of these groups but are critically failing because of lack of resources, training, coordination and support from the government and other agencies. In most of these agencies the command is carried out by the National Security Secretariat headed by National Security Advisor. Though Indian agencies have successfully managed to break through a lot of terror planning and terror modules of such terrorist groups creating disturbance in word peace and it's for these agencies and unit that condition in India are still far better than that of other countries which are highly effected by terrorism but they are increasingly failing because of financial and technical resource problems faced due to many factors. It is not just these agencies or the government fighting against terrorism but it's the legal process of India as well which is



fighting this battle against terrorism hand in hand with government agencies but The absence of fast track courts to listen to terrorism cases has its impact on the people and the security forces. But still government of India had made various laws to fight terrorism. Laws such as **TADA (1985-1995) (Terrorist and Destructive Activities (prevention) act)**, It was introduced in 1985 to counter terrorist violence in Punjab, which later spread across the country. It was expected then that TADA could curb the menace in a short term and the life of the act was stipulated at two years. The police were given enhanced powers for detention of suspects and the Act shifted the burden of proof on the accused. This law has many political disputes as it was misused so it was discontinued in 1995 but it re-emerged as POTA and unlawful activities prevention act in 2002. **POTA (Prevention of Terrorism Act (2002))**, this act was passed by the parliament of India to strengthen the anti-terrorism operations in India, The Act was enacted due to several terrorist attacks that were being carried out in India and especially in response to the attack on the parliament of India. This act replaced POTO (Prevention of Terrorism Ordinance (2001)) and TADA (1985-1995) (Terrorist and Destructive Activities (prevention)act). **Unlawful Activities Prevention Act (2019)**, it is a law aimed at effective prevention of unlawful activities associations in India. Its main objective was to make powers available to the government and security agencies for dealing with activities directed against the integrity and sovereignty of India and help them take necessary steps for protection on the people of India and to give timely and fair compensation to the people who suffered and punishment to people held responsible for the attack. The main aim of this act was to fight

the terror financing by criminalizing the production or smuggling or circulation of high-quality counterfeit unauthorised Indian currency as a terrorist act and enlarge the scope of activities and property intended to be used for terrorism. **Anti-Hijacking Act (2014)**, it is an Act of the Parliament of India intended to enforce the Hague Hijacking Convention and the 2010 Beijing Protocol Supplementary to the Convention. The Act repeals and replaces The Anti-Hijacking Act, 1982. The new Act broadens the definition of hijacking to include any attempt to seize or gain control of an aircraft using "any technological means", which accounts for the possibility that the hijackers may not be physically present on board the aircraft. Other steps taken by government of India after the BRICS meeting with help of fellow BRICS nation are that a **Terror Funding and Fake Currency (TFFC) Cell** has been created to conduct several investigation of terror funding and fake currency notes cases and incidents and look into the matter of such cases or incidents, for that Certain guidelines have been given to the states and union territories of India for investigation of cases of fake Indian currency notes, many training programme has been launched by the government of India for the State Police on issues relating to combating terrorist financing and supply of fake currency notes in economy, a **Fake Indian Currency Notes Coordination Group(FCORD)** has been formed to share information among the security agencies to counter and combat the problem of circulation of fake currency notes eventually putting a stop to terror funding in various parts of the country to leave the terrorist groups handicapped because of lack of terror funding available to them, Security at the international borders has been increased and strengthened by using new



surveillance technology and methods, deploying additional force for round the clock surveillance, establishing observation posts along the international border at the necessary places, construction of border fencing and intensive patrolling over the border line. There are infinite number of tasks done by the government of India for protection of its citizens from terrorism and also to avoid terrorist activities in India but there is always a scope for improvement.

### CONCLUSION

It is not appropriate to say that India's war with terrorism is over it's not even close to that but we can say that it has come a long way down. The history which is written in blood of many innocent people misguided, mis-led or the people just following orders of their senior officials but it is what it is, there is no power in this world which can re-write the history but everyone has the power to make sure that it doesn't repeat itself if it is not acceptable by humanity. Although there has been a lot of terrorist activities going on at this very moment itself and most people don't even know about it, but we have to curb this lack of awareness and enlightenment from the people, give them right guidance, knowledge of what's actually right and what's not. It's well said that one thing which is in abundance in this world is Perspective. A lot of people have a lot of different Perspective towards a same situation Perspective towards humanity, harmony and peace should be same and if not same so at least not going against it. Humanity is nothing to be afraid of or to be discouraged it's the feeling of humanity which has kept us alive all this time. Now is not the time to fight for religion and all other needs humans develop after coming into this world but it's time to take a stand for peace,

humanity, harmony, brotherhood, most of all environment the list of the things which we should actually be focusing on is way too big. Scientists have proven that at the rate at which earth is degrading its stability we as a species are at the verge of extinction. So if we shift our focus from spreading terrorism and unrest in the world to saving it, then it would be a decision to be well considered and will be well appreciated by our future generation for which they'll be great full for not just their survival or existence but for given them two most important gifts that we as humans can give them and those are life and a great world to live in. In the end I would like to say that although the current scenario terrorism has reduced due to spread of COVID-19, but why don't we put an end to this terrorism once and for all. As it's enough of terrorism increasing and spreading. It has over powered humanity long enough but it should not any more. It's time to wake up and put an end to this evil of the society and focus on development of everyone and walking hand in hand with everyone for betterment and development of everyone and humanity as a whole.

### BIBLIOGRAPHY

1. NATIONAL DIGITAL LIBRARY-  
<http://ndl.iitkgp.ac.in/document/QmdZSHJv bHRNdHF5U2JPZGxUREhVc1ZRSDk40 DRWZ0NZeXBpbG1PQU1PYz0>
2. COUNTER TERRORISM ETHICS-  
<http://counterterrorismethics.com/ct-overview-india/>
3. RESEARCH GATE-  
[https://www.researchgate.net/publication/236970988\\_Terrorism\\_in\\_India\\_and\\_Legislation\\_for\\_its\\_Prevention](https://www.researchgate.net/publication/236970988_Terrorism_in_India_and_Legislation_for_its_Prevention)
4. CENSUS OF INDIA-  
[https://censusindia.gov.in/2011-prov-results/prov\\_rep\\_tables.html](https://censusindia.gov.in/2011-prov-results/prov_rep_tables.html)



- 
5. JURISPRUDENCE OF ANTI-TERRORISM LAW BY RAMANAND GARGE-

<https://www.vifindia.org/sites/default/files/jurisprudence-of-anti-terrorism-laws-an-indian-perspective.pdf>

6. DICTIONARY-

<https://www.dictionary.com/browse/terrorism>

7. I HAVE A DREAM-

by MARTIN LUTHER KING JR.

8. TERRORISM TRENDS IN INDIA (NATIONAL DIGITAL LIBRARY)

<http://ndl.iitkgp.ac.in/document/QmdZSHJvbHRNdHF5U2JPZGxUREhVc1ZRSDk4ODRWZ0NZeXBpbG1PQU1PYz0>

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